

OPPOSITION PARTIES AND EU AFFAIRS IN NATIONAL PARLIAMENTS:  
COOPERATION OR COMPETITION?

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# Abstract

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EU integration has been argued to enhance a process of “de-parliamentarization” (Maurer and Wessels 2001) of political decision-making procedures and to contribute to a “waning of opposition” (Kirchheimer 1957). This thesis sets out to critically test these assumptions by empirical analysis of opposition parties’ parliamentary EU scrutiny activities. It addresses two desiderata in research on national parliaments and EU affairs: First, it investigates the practice of EU scrutiny and second, the political dynamics between government and opposition as drivers for these activities. The aim is to answer the following research question: Which factors explain opposition parties’ EU scrutiny activities in national parliaments?

This study builds on the ontological background of rational choice institutionalism. The theoretical chapter conceptualizes two main strategies for opposition parties reflecting their reactive nature: cooperation and competition towards the governing parties. Cooperation is linked to the goal of short-term policy influence and could enhance legitimacy in terms of the inclusion of the interest of minorities. The strategy of competition in form of publicly challenging the government could, on the other hand, enhance the politicization of EU issues. The study develops a theoretical model of opposition to EU affairs in national parliaments, which is sensitive to the temporal aspect of cooperation and conflict. It concentrates on two essential steps of parliamentary scrutiny: the legislative scrutiny at committee level and the justifications towards the electorate at the plenary level. The study expects that the party type (anti-establishment or regular) and positional distance to the government explain variation in oppositions’ EU scrutiny activities.

A small-n comparative research design deems most appropriate for the explorative nature of this study. Austria and Germany are chosen for analysis, as their institutional setting and political party systems comply with the logic of the most-similar system design. The study investigates the activities of the six party groups in opposition in the two lower chambers in the time period from 2009 to 2013. The analysis triangulates a quantitative assessment of the scope of EU scrutiny activities with qualitative methods in form of content analysis and interviews.

The empirical investigation finds a surprisingly little effect of the party type of an anti-establishment party on EU scrutiny activities at committee level. At the same time, the anti-establishment parties compete strongly in plenary debates on those EU-related topics conducive to criticize the elite. The second hypothesis on the role of positional distance found clear support in content analysis on plenary debates in this study. The results show that the framing on EU affairs is clearly dependent on the topic under debate. For the cultural dimension, the correspondence of positional distance to EU framing activities was disrupted by the overemphasis of certain topics by the two anti-establishment parties.

Overall, the study does not find an “opposition deficit” in parliaments in times of the Euro crisis. The results are linked back to the broader question of national parliaments’ role in EU democratic legitimacy.

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# List of Abbreviations

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- BZÖ – Alliance for the Future of Austria (*Bündnis für die Zukunft Österreichs*)
- CDU – Christian Democratic Union (*Christlich Demokratische Union*)
- CJEU – Court of Justice the European Union
- CHES – Chapel Hill Expert Survey
- CMP – Comparative Manifesto Project
- CSU – Christian Social Union (*Christlich Soziale Union*)
- EAC – European Affairs Committee
- EFSF – European Financial Stability Facility
- ESM – European Stability Mechanism
- EU – European Union
- EU-InfoG – *EU Informationsgesetz of the Nationalrat*
- EUZBBG – *Gesetz über die Zusammenarbeit von Bundesregierung und Deutschem Bundestag in Angelegenheiten der Europäischen Union*
- EWM – Early Warning Mechanism
- FPD – Free Democratic Party (*Freiheitliche Demokratische Partei*)
- FPÖ – Freedom Party of Austria (*Freiheitliche Partei Österreichs*)
- GAL – Green-alternative-libertarian
- GO-BT – Standing Orders of the *Bundestag* (*Geschäftsordnung des Bundestages*)
- GOG-NR – Standing Orders of the *Nationalrat* (*Geschäftsordnungsgesetz des Nationalrates*)
- IMF – International Monetary Fund
- MEP – Member of the European Parliament
- MFF – Multiannual Financial Framework
- MP – Member of Parliament
- ÖVP – Austrian People’s Party (*Österreichische Volkspartei*)
- SPD – Social Democratic Party of Germany (*Sozialdemokratische Partei Deutschlands*)
- SPÖ – Social Democratic Party of Austria (*Sozialdemokratische Partei Österreichs*)
- TAN – Traditional-authoritarian-nationalist
- TSCG – Treaty on Stability, Coordination and Governance



# 1. Introduction

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*“Because we cannot mobilize opposition in Europe, and because we are denied an appropriate political arena in which to hold European governance accountable, we are almost pushed into organizing opposition to Europe.”*

Peter Mair (2007): Political Opposition and the European Union, in: *Government and Opposition* 42(1): 12

Democracy in the European Union is a contentious topic of debate in public and scientific domain and has become increasingly contested. EU integration has developed over decades as elite-project away from the public eye. The impact of EU decision-making on citizens' lives has continuously increased with the deepening and widening of EU integration. The dramatic effects of the Euro crisis have woken up the “sleeping giant” (van der Eijk and Franklin 2004) of a more sceptical public opinion. The “permissive consensus” among European citizens seems to have turned into a “constraining dissensus” towards EU integration (Hooghe and Marks 2009). These developments raise the question of the responsiveness of the EU decision-making processes to citizens' interests. Opposition to EU integration and EU policymaking should be channelled through parliamentary representation at national and EU level. Yet, mainstream parties are slow to respond to the more EU-sceptical views of their voters and leave the field to extreme parties who use anti-EU sentiments to sharpen their profile (Rohrschneider and Whitefield 2016).

Political scientists, like Peter Mair (2007), argue that the de-politicization<sup>1</sup> of EU policymaking by mainstream parties undermines the acceptance of supranational governance (see also Kirchheimer 1957, Dahl 1965, Schapiro 1965). According to this argument, the lack of opposition on policy content within the EU decision-making process leads to opposition towards the system. Political opposition is essential for a well-functioning liberal democracy. Dahl (1966: xiii) defines the establishment of legal, orderly and peaceful opposition as the third milestone of democratic institution building. Ionescu and Madariaga (1968: 12) see the existence of institutionalized opposition as indicator for categorizing a system as liberal or dictatorial, democratic or authoritarian. A lack of

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<sup>1</sup> Politicization is defined by the salience and polarization around a policy issue (de Wilde 2011).

institutionalized opposition towards policy contents within the institutional structures of the EU consequently raises fundamental questions on its democratic legitimacy.

Parliaments – as living symbols of democracy and direct representatives of citizens’ interests – are the most important official forums for critical debate and legislative control of EU decision-making. The EU has two channels of electoral legitimation: citizens are represented *directly* in the European Parliament and *indirectly* via national parliaments control over their governments’ activities in the Council of Ministers (Art. 10 (2) TEU). Opposition in the European Parliament has been researched intensely in its direction towards policy content (Hix 2001, Hix et al. 2006) and in its direction against the political system (McElroy and Benoit 2007). Parliaments at the national level, however, also possess the institutional capacity to perform oppositional functions to EU legislation. In fact, national parliaments are the “gate-keepers of European integration” (Raunio 2011), as they control the allocation of competences through ratification of EU treaty reform and the review of subsidiarity.

This study tests Mair’s (2007) argument on a deficit of opposition to the EU within existing institutional structures. In how far do opposition parties use their prerogatives in national parliaments to voice opposition towards EU issues and EU integration? Opposition party groups are assumed to be the “natural” agent to publicly criticize and tightly scrutinize their national governments’ activities at the EU level. Ironically, by actively challenging EU legislation and communicating different options of future EU integration paths, parliaments would provide the kind of democratic legitimacy most urgently lacking in the EU. “Classic” opposition to EU legislative proposals would make policy alternatives accessible to citizens and provide a choice on different policy approaches.

This study contributes to research on national parliaments by focussing on opposition parties. Research on national parliaments has by now accumulated significant knowledge on their institutional capacity for EU scrutiny (Bergman 1997, Raunio 2005, Winzen 2012, 2013) and gathered first quantitative evidence on the practices of EU scrutiny (de Ruiter 2013, Jensen et al. 2013, Auel et al. 2015a, 2015b, Gattermann and Heffler 2015). Nevertheless, there are still two desiderata in the study of national parliaments and the EU. First, research has long focused on institutional procedures, not the actual activities in parliament. Second, many contributions have treated parliaments as “black boxes”. We still need a better understanding of the political dynamic in the domain of EU affairs within parliaments.

This study addresses these gaps by researching opposition parties' EU scrutiny activities. The focus is on the political motivation of opposition to engage in EU affairs in order to answer the following research question:

Which factors explain opposition parties' EU scrutiny activities in national parliaments?

Based on rational choice institutionalism, the theoretical part develops two key strategies for opposition parties' behaviour in the parliamentary arena: competition or cooperation with the governing parties. I assume that competition leads to more public visibility of EU affairs and, in turn, to more politicization. The thesis integrates approaches from party and opposition studies to research on national parliaments and the EU in order to develop two central hypotheses on the motivation for EU scrutiny. On the one hand, the party type (anti-establishment versus regular parties) should influence the level of competition with the government. On the other hand, opposition's positional distance to governing parties should impact the choice of strategy. The empirical analysis investigates two country cases that have similar institutional structures for EU scrutiny (Austria and Germany). The opposition parties under investigation vary significantly in terms of party type and position on the left-right and pro-anti EU dimensions. The empirical analysis gathers new quantitative and qualitative data on the legislative scrutiny activities, the communicative action and inter-parliamentary cooperation in the EU. The encompassing approach of this study covers three channels of parliamentary influence. With this rare approach of analysing the legislative scrutiny at committee level as well as the public justification in plenary debates it is in a unique position to develop a better understanding of opposition to EU affairs in national parliaments.

The period of investigation is the legislative terms from 2009 to 2013.<sup>2</sup> In this time period the financial and debt crises posed a major challenge for EU integration and for the role of national parliaments. European governments were under massive pressure to provide a credible commitment to the common currency when Greece was unable to refinance itself at the markets. This led to a debate on the nature of the EU community in the dilemma of solidarity, inter-dependence and national autonomy (Crum 2013). National parliaments saw their "crown jewel" of budgetary control at stake. The rescue mechanisms (EFSF and ESM) render national budgets vulnerable to the risk of debt (un)sustainability of the other Euro zone member states. The period of investigation allows to analyse both, regular legislative

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<sup>2</sup> The legislative term in Austria started in September 2008. In Germany the term started in September 2009.

activity of national parliamentarians as well as crisis management. The study thereby focuses on oppositions' activities within parliamentary procedures. It does not cover the appeals to constitutional courts that occurred during the Euro crisis. The unique situation of the Euro crisis may affect the generalizability of the results. Nevertheless, crises are "normal" in the sense that urgent matters of high impact appear time and again. The parliamentary reactions to the Euro crises might inform us on how MPs will react to future crisis situations.

The purpose of this introduction is to argue for the relevance of researching opposition in national parliaments and locating this study in the universe of existing research. The following Chapter 1.1 reviews the debate on EU democratic legitimacy to understand the potential contribution of national parliaments. Chapter 1.2 develops the state of the art and points out existing gaps in the literature. Chapter 1.3 explains how this thesis addresses these gaps, before Chapter 1.4 lays out the roadmap of how the book will proceed.

## **1.1. The relevance of studying opposition to the EU in national parliaments**

The overall starting point for studying parliaments is the desire to gain a better understanding of democratic legitimacy of a political system. Effective parliamentary control over executive actors is essential for a well-functioning representative democracy at the national as well as at the supranational level. The EU has two channels of electoral legitimation: a) citizens vote for national parliamentarians who control the own government in the Council and b) they may vote for the European Parliament. The two levels of parliament each have specific functions for the control of the EU decision-making process. Fossum and Crum (2009) argue that research on democratic legitimacy of the EU needs to understand the "multi-level parliamentary field" at all levels. This Chapter 1.1 places national parliaments in the "bigger picture" of the EU institutional setting and explains the potential contributions of the lower level of parliamentary bodies to EU legitimacy.

The democratic legitimacy of the European Union has been debated controversially since the 1990s. The views on democracy in the EU vary significantly due to the complex nature of the EU political system and the theoretical challenge to define a standard of democratic legitimacy for this international integration project (Fossum 2016). This chapter proceeds in three steps, in order to define the role of national parliaments for EU democratic legitimacy.



First, Section 1.1.1 outlines the EU modes of governance to sketch the complexity of the multi-level system. It also briefly outlines the functions of national parliaments within the EU. Second, the chapter derives an analytical framework for democratic legitimacy in Section 1.1.2. Based on this framework, Section 1.1.3 reviews the debate on the democratic deficit of the EU. It explains national parliaments potentials to contribute to EU legitimacy and the focus on opposition as a motor of active EU scrutiny at the domestic level.

### ***1.1.1. The complex system of EU multi-level governance***

This Section 1.1.1 presents the EU multi-level governance system to show the potential channels of influence of opposition in national parliaments.

Though under critique, the EU is still the most developed regional integration project worldwide (Börzel and Risse 2009). Policy areas under EU competence touch upon the core of state sovereignty, as in the common currency and border protection. Over decades, the EU has continuously deepened (covering more policy areas and moving to more supranational decision-making modes) and widened (integrating new member states) (see Wessels 2008: 22–25). While integration is considerable in some domains, the member states have remained in control over the allocation of competences and of the most salient policy areas with strong redistributive aspects like taxation, social welfare and foreign policy. Member states governments can exercise veto powers – formally or informally<sup>3</sup> – in many areas of EU legislation and national parties control the candidacies to the European Parliament and other high-level political offices. This unique situation of blending supranational and intergovernmental features has made it notoriously difficult to categorize the EU with traditional concepts of political systems (Wessels 1997). With a fully-fledged international parliamentary body, the European Parliament, and a strong Court at EU level, integration goes beyond a traditional international organization. However, the strong veto position of the member states along with primarily national communication spheres and national social and political identification prevents the EU from being a proper federal order. The EU cannot easily be compared with models derived from the nation states or federations. Concepts from other areas of political science, such as Comparative Politics or International Relations, can only with caution be transferred to the study of the EU (Kaiser 2002: 446).

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<sup>3</sup> The Council often decides by consensus, even when qualified majority is formally possible (Hayes-Renshaw and Wallace 2006).

Besides the “sui generis” nature, a second aspect adds to the complexity of the EU: The decision-making procedures vary across policy areas. Scharpf (2002) defines different modes of governance, which can be ordered along their degree of supranationalization (see also Wessels 2008, Tömmel 2014). The Lisbon Treaty ascribes the allocation of competences to EU and/or member state level in a catalogue of competences (Art. 2, TFEU).<sup>4</sup> The differentiation by exclusive, shared or supportive EU competences roughly corresponds to the modes of governance defined by Scharpf (2002). The different logics of decision-making have implications for the involvement of parliamentary bodies. The two channels of electoral legitimation, the European and the national parliaments, have different functions in each decision-making mode.

The most supranationalized mode is the area of exclusive competences of the EU (see Art. 3, TFEU). In the policy areas of the completion of the internal market, monetary and commercial policy, the customs union as well as the conservation of marine biological resources, the member states have transferred the competences to initiate legislation entirely to the EU. Scharpf (2002) points out that in many federal systems a federal parliament and elected ministers and chief executives would handle the competences located exclusively at federal level (see also Majone 1998). In the EU, independent agents deal with the exclusive rights: the European Central Bank, the Court of Justice of the EU (CJEU) and the Commission (see also Majone 1998). Neither the European Parliament nor the national parliaments have a role in controlling the activities of these supranational agencies or institutions. Parties in minority, in consequence, do not have any means of influence through their parliamentary representation.

In the domain of shared competences either the EU or member state governments can become active. The member states may only exercise their competences, if there is no existing EU legislation.<sup>5</sup> The Ordinary Legislative Procedure (former co-decision) applies to all policy areas of the shared competences. Here the European Commission initiates a legislative proposal. The Council of the EU decides on the proposal with qualified

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<sup>4</sup> Art. 3 and 4, TFEU define the exclusive and shared competences. Art. 6, TFEU defines the areas where the Union may support, coordinate or supplement member state actions and Art. 352, TFEU contains the flexibility clause.

<sup>5</sup> The list of shared competences in the catalogue in the Lisbon Treaty is not conclusive. All competences not specified in Article 3 (on exclusive EU competences) or 6 (on supportive EU competences) fall into this category. Main policy areas are the internal market, social policy, economic cohesion, agriculture and fisheries, environment, consumer protection, transport, trans-European networks, energy, the area of freedom, security and justice as well as matters of safety concerns in public health.

majority<sup>6</sup> and the European Parliament by simple majority in up to three readings. Qualified majority vote implies that some member states could be outvoted in the Council. Even though actual voting does not take place often, the possibility to do so creates pressure to compromise. Scharpf termed this mode interlocking politics (“Politikverflechtung”) to underpin the close interaction of supranational actors and member state governments within this decision-making mode (Scharpf 2002: 79). Both channels of parliamentary representation interact in the Ordinary Legislative Procedure: the European Parliament in its direct involvement and national parliaments indirectly through their control over their minister in the Council. If the own national government is, however, outvoted in the Council even the strongest control over the own ministers remains without consequences on the final result (Auel 2007: 499). The influence of national opposition parties depends on the room of manoeuvre of the domestic legislature and the rules of minority protection therein.

The principles of subsidiarity and proportionality apply for shared competences (Art. 5, TEU).<sup>7</sup> These principles guide the decision where the supranational level may become active, as competences are not clearly allocated to one single level of governance. The Lisbon Treaty installed national parliaments as “watchdogs” (Cooper 2006) over subsidiarity with the Early Warning Mechanism (Protocol on the application of the principals of subsidiarity and proportionality, TEU).<sup>8</sup> National parliaments are considered the “natural” agents to critically review the allocation of competences to EU level, as they loose influence when a policy issue is removed from their direct control at national level (Groen and Christiansen 2015). National parliaments have, in consequence, a twofold role in Ordinary Legislative Procedure. They can control policy content in contact with their own government and subsidiarity questions in contact to the Commission. Opposition has

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<sup>6</sup> Qualified Majority is achieved when 55% of member states (currently 15) and 65% of the population of the EU are represented in favour of a decision (see Art. 16 (4) TEU).

<sup>7</sup> Subsidiarity means that problems should be solved at the lowest level possible. The EU should only become active, if an issue „cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level“ (Protocol on the application of the principals of subsidiarity and proportionality, TEU). The principle of proportionality says that “the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties“(Protocol on the application of the principals of subsidiarity and proportionality, TEU).

<sup>8</sup> Each parliament has two votes within the Early Warning Mechanism, which they may issue in form of “reasoned opinions” within eight weeks after publication of a legislative proposal from the EU Commission. In case of bicameralism, each chamber is assigned one of these votes. National parliaments can issue a “yellow card” with one third of their collective votes, which requires the Commission to repeal, revise or better justify its legislative draft.

limited access to the subsidiarity procedure, as parliaments usually require a majority vote for issuing a reasoned opinion.

The third mode of governance listed by Scharpf is intergovernmental negotiations. Here, all member states maintain their veto power. This applies for the Common Security and Defence Policy (see Art. 24 (1), TEU) and the revision of EU treaties (Art. 48, TEU). The European Parliament remains without any formal influence in intergovernmental negotiations. For national parliaments the consensus mode of decision-making in intergovernmental negotiations increases their potential policy impact. National parliaments have a strong role in proper EU treaty reform, as treaties need to be ratified at national level. The only occasion of treaty change in the past years occurred in reaction to the Euro crisis. Yet, for the case of the crisis mechanisms (EFSF, ESM and Fiscal Compact), treaties were negotiated outside of the EU framework in a purely intergovernmental mode. This makes parliamentary control more difficult, as EU scrutiny rights do not apply (Rittberger and Winzen 2015). Nevertheless, domestic opposition parties have better opportunities to influence the outcome of decision-making in intergovernmental negotiations, if their parliaments provide some leverage for them. Where treaty change requires a super majority in the ratification process, parties in minority have the power to negotiate a compromise in exchange of the supportive votes. Opposition has at several instances used this influence to achieve stronger EU scrutiny rights (Miklin 2015).

This brief overview demonstrates that national parliaments have two key functions in the EU political system: legislative scrutiny of EU policy contents and the control over the allocation of competences in the polity. Opposition parties' access to the EU level depends on the institutional prerogatives of the domestic legislature. The two functions of national parliaments can be performed through four channels of influence: control over the own government, communication to the citizens, the subsidiarity review as well as ratification of treaty reform. The cooperation with other parliaments represents a fifth avenue, which however serves information exchange more than a direct influence on policymaking. Figure 1 gives an overview of the instruments available to parliaments in view of their addressee.

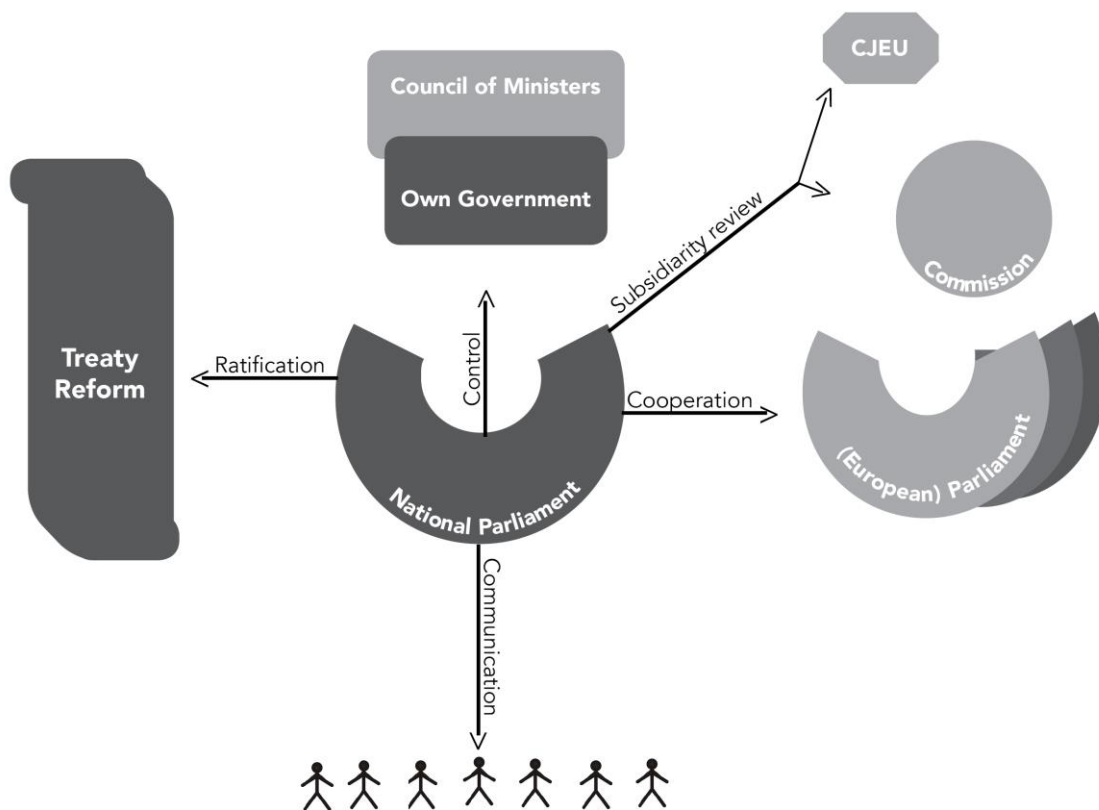


Figure 1: Five channels of influence for national parliaments.

The first channel of influence concerns the control over the own government’s position in the Council of Ministers. The scrutiny of EU policymaking in the Ordinary Legislative Procedure is in principle in line with the classic function of legislatures of influencing or controlling the content of new policy proposals (see Bagehot 1867, Norton 1993). The two strongest parliamentary powers in the domestic context – voting on legislation and the vote of confidence – nevertheless only partially apply to control of EU affairs (Auel 2007: 13). EU legislation can take the form of regulations or directives. Regulations from EU level apply directly at national level and do not involve national parliaments. For directives, parliaments are responsible for transposing them into national law. It is not an option to straight out veto the transposition, as the Commission can sanction a member states’ non-compliance to EU legislation. It is only a question of *how* to adapt national legislation in order to achieve the goal defined at EU level. One way to compensate for this lack of influence in the ex-post stage is a stronger pre-decisional parliamentary involvement (Auel and Benz 2005).

Parliaments have several instruments of how to influence the own government prior to Council meetings (Rozenberg and Heffler 2015). Legislatures can issue statements on the

parliamentary position, request information, ask questions to the government and debate EU affairs in the plenary. Some legislatures have the power to mandate the national position in EU negotiations to the government. The literature considers “mandating power” as one of the strongest prerogatives for the control over the government (Winzen 2012). Other parliaments, however, use the second channel of influence. They pressure the government in question time or plenary debates. Public debates are a powerful means of parliaments, as governing and opposition parties have to make their positions transparent and to justify their actions to the voters and fellow MPs. Once committed to a certain position in public, any deviation from that position is transparent for the voters.

Besides the control of the own government and communication to the citizens, legislatures may use the additional path of networking with their counter-parts throughout the European Union. National parliaments use this cooperation to exchange information with other parliaments: either in the member states or the European Parliament. MPs of different specializations meet in various meetings of parliamentarians in the European Union (Heffler and Gattermann 2015). This form of exchange could complement the scrutiny activities directed to the own government and be especially promising for MPs in opposition (Miklin 2013).

As a fourth channel of influence, the Lisbon Treaty established the Early Warning System (EWS) for review of the principle of subsidiarity within the Ordinary Legislative Procedure (Art. 6, Protocol on the application of the principles of subsidiarity and proportionality, TEU). Each member state’s parliament (or chambers) holds two votes in the EWS. National parliaments can issue a “yellow card” in this procedure with one third of their votes, which requires the Commission to review, revise or withdraw its policy proposal. This Early Warning Mechanism is paired with the right of parliaments to file petition to the CJEU after legislation is agreed at EU level (Art. 8, Protocol on the application of the principles of subsidiarity and proportionality, TEU).

The fifth channel of influence is connected to the second function of national parliaments for the EU: the revision of EU treaties. In the ordinary treaty revision procedure national parliamentarians participate in a convention leading up to the final decision and in ex-post ratification at national level. For the case of simplified treaty reform parliaments need to ratify the European Council decision (Art 48 (6, 7) TEU). For the use of “passerelle clauses” the Lisbon Treaty gives each national parliament a veto option for six month (Art. 48 (7) TEU). The exact rules of treaty ratification are defined at national level and vary

from referendums, simple or qualified vote in parliament and the right for legal review by constitutional courts.

This brief overview of the EU institutional framework and national parliaments' channels of influence demonstrates the complexity of the system. Different levels of governance – regional, national and supranational – interact in various modes of decision-making depending on the policy area. The complexity of the decision-making process and the open-ended *finalité* of EU integration present a challenge for the analysis of EU democratic legitimacy.

The aim of this Chapter 1.1 is to define how national parliaments could alleviate the EU democratic deficit through these channels of influence. To do so the following Section 1.1.2 develops a definition of democratic legitimacy that can serve as a benchmark, before Section 1.1.3 reviews the EU democratic deficit debate.

### ***1.1.2. Types of democratic legitimacy***

The complexity and “sui generis” nature of the EU gives leeway to many different perspectives on its democratic credentials. Puchala (1971) compares integration studies to the metaphor of blind men and the elephant.

“Several blind men approached an elephant and each touched the animal in an effort to discover what the beast looked like. Each blind man, however, touched a different part of the large animal, and each concluded that the elephant had the appearance of the part he had touched.” (Puchala 1971: 267)

This seems to be especially true for the debate on EU legitimacy. Authors apply different approaches of democratic theory to the European Union. In consequence, each provides different measures of a “good” political order and highlights different aspects of the object under study. To find a common ground for the varying approaches, this Section 1.1.2 provides an analytical framework for democratic legitimacy that accounts of two dimensions of legitimacy (input versus output and inclusion versus alteration).

Legitimacy is a key concept in political science. As central as it is in many political theories, as manifold is the use of this term. Only a clear concept will allow assessing the effect of opposition in parliaments' contribution to EU legitimacy in the remainder of this study. As a starting point, legitimacy can be defined as a quality whereby something or someone is recognized as “being reasonable and acceptable” (Cambridge Dictionary 2017). The legitimacy of a political system describes the quality of the relationship between a rule

or ruler and its subjects. The alternative to legitimate rule is coercion, the exercise of power by force and fear. At the core of legitimate rule lie rightfulness of authority and acceptance by the citizens (Rawls 1985, Wimmel 2009). As the concept refers, in essence, to the affective relationship of an individual level to the political system, it is difficult to grasp in theoretical and empirical terms.

Justifications of legitimacy of a polity derive their arguments from shared ideals and beliefs within that society (Simmons 1999). In the modern Western world, democracy is *the* normative reference point for arguments about legitimacy (see Fukuyama 2006: argument on the end of history). While legitimacy could be derived from tradition or the charisma of a leader (see Weber 1922/1988), we speak of democratic legitimacy where democratic values serve as reference point (Sprungk 2013). Unfortunately, democracy is a term equally vague and multi-faceted as legitimacy itself. Theories follow the logic of direct, representative, liberal, republican, majoritarian, consensual, cosmopolitan and deliberative democracy. Each theory stresses different values or ideals as most important democratic values. For the purpose of this study it is sufficient to identify exemplary a few core democratic values that matter in all democratic theories (though to a different extent). Three key principles are recurrent in most normative democratic theory are equal rights for all citizens, the sovereignty of the people and the protection of personal liberties.<sup>9</sup> In sum, democratic legitimacy is acceptance of a ruler or rules based on democratic principles.

This definition serves as a framework for assessing political theories about democratic systems. The two dimensions of democratic legitimacy serve to identify different approaches to EU democratic legitimacy, which are defined by a) the stages in the policy process (input and output legitimacy) and b) the degree of (de)centralization of power (consensus and majoritarian democracy).

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<sup>9</sup> The literature on democracy can be divided in a normative and an empirical branch. Normative democratic theory develops concepts of an ideal political order in social or moral terms. The empirical branch derives possible conceptions of democracy from existing political systems. Their goal is to define a good political order that is practicable under real world conditions. Both schools of thought embody democratic ideals. However, the normative theory is more explicit about the abstract ideals.



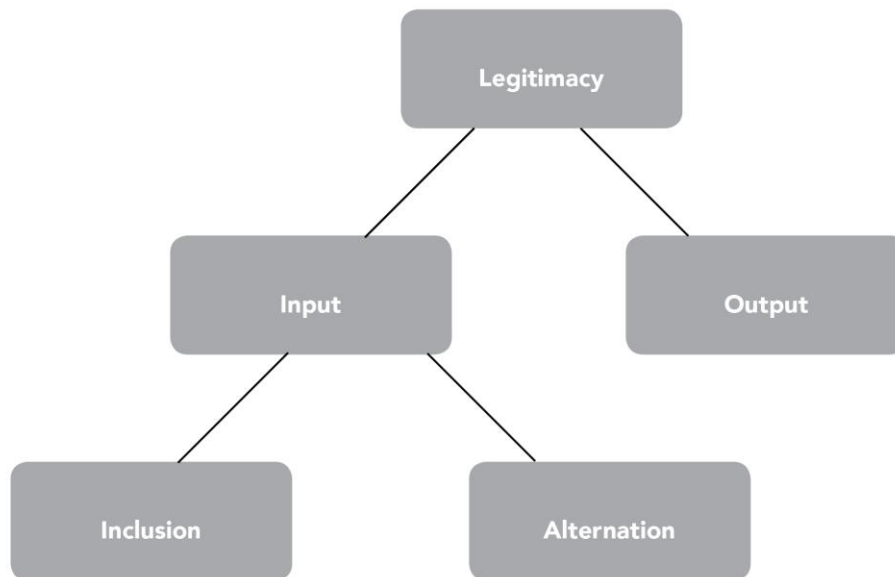


Figure 2: Analytical framework of democratic legitimacy.

Scharpf (1999) introduced the concept of input and output legitimacy to EU studies. Input legitimacy consists of participation of the citizens, procedures and institutions of the decision-making process. Output legitimacy is defined by the quality of the results the political system produces for its citizens. These two elements of legitimacy are considered as interdependent but separate. The democratic quality of input and output legitimacy can be evaluated in relation to the three key democratic principles defined above. For input legitimacy the crucial measure is the ideal of equal rights of all citizens: In how far do all citizens have equal opportunities to participate in elections, public debates and organized interest groups? Input legitimacy is largely defined by the setup of institutional procedures within the legislature, the executive and judicative. In relation to the three democratic principles defined above, the benchmark is institutions that maximize the equality and autonomy of the people, e.g. by general elections and majority rule. It can also mean protecting civil liberties by avoiding the abuse of power.

In the ex-post stage of output legitimacy, authoritative rule making is justified by the quality of the results (Scharpf 1999, Schmidt 2006). Equality of the citizens can be interpreted in this case as an equal right for the respect of one's interests and preferences (Dahl 1998). Thus, the output as best practicable solution for the citizens could legitimize a political system irrespective of the participation and procedures (Wimmel 2009: 191). Both variables – input and output – can be used to argue for a “good” political order, which should have the acceptance by the people for the exercise of authority. The relevance of input and output legitimacy is judged differently depending on the school of democratic theory.

On the input side, the two types of legitimization become relevant for the study of the European Union, which are derived from either majoritarian or consensus democratic theory (Lijphart 2012). In a majoritarian system, the logic of alteration of government serves as primary legitimizing force. In a consensus system it is the broad scope of inclusion of citizens' interests that legitimizes the decision-making process. A majoritarian democratic system is characterized by a pluralitarian electoral system of first-past-the-post.<sup>10</sup> This allows a relatively small group of voters who changes its priorities from one election to the next to alter the balance of power in parliament and government. In a pluralitarian or majoritarian electoral system the seat share in parliament does not necessarily mirror the relative political positions of society. However, elections in a majoritarian system give voters the option to "throw the rascals out" (see for example Crum 2003). In majoritarian systems the elected officials hold the highest decision-making power and are little constrained by independent agencies, such as a constitutional court or central bank (Lijphart 2012). In consequence, there are fewer veto players that would hinder government from "effective" governance.

Consensus democracies, on the other hand, install a number of brakes on majority rule. In line with liberal democracy approaches, which fear the "tyranny of the majority", consensus democracy derives its legitimacy on the input side from power sharing. Participation is inclusive by means of proportional electoral systems where the vote shares translate closely to parties' seat share in parliament. Alteration and inclusion can be seen as two poles of one dimension (see Kaiser 2002: 448).

In a nutshell, legitimacy refers in its essence to the acceptance of authority by its subjects. Democratic legitimacy is justified by the orientation towards democratic principles in the political system. These democratic values can be realized via participation and democratic decision-making procedures (input) or results that are in citizens' best interest (output). The input side can be designed to allow for regular alteration of government and an emphasis on majority rule or through inclusion of a broad range of citizens interests in a consensual system.

Based on this definition and analytical framework of legitimacy, the chapter now turns to the debate on the EU democratic deficit.

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<sup>10</sup> This study follows the terminology of Kaiser (2002: 448) according to which a first-past-the-post electoral system is pluralitarian. A plurality of the votes is sufficient to win elections here, which do not even need to represent a majority. Majoritarian electoral systems require at least 50% plus one vote to win an election.

### ***1.1.3. The democratic deficit of the EU***

This Section 1.1.3 introduces the EU democratic deficit debate. The potential causes of a lack of EU legitimacy justify the investigation of opposition in national parliaments.

The debate on the democratic legitimacy of the EU is a debate on the “question of standards” (see Majone 1998) with which to measure EU democracy. The normative ideal, which is applied to assess a democratic order, will significantly affect the results of the analysis. This explains why opinions on EU legitimacy differ to the extent that some authors do not even see a problem. Some argue that democratic standards developed at national level can hold for supranational governance, while others contend that we need new measures to explain the legitimacy of the EU (Banchoff and Smith 1999, Heritier 1999, Grant and Keohane 2005, Kohler-Koch and Rittberger 2007).

This Section 1.1.3 does not review the entire, multifaceted EU democratic deficit debate (for an overview see Jensen 2009). It uses the lens of the analytical framework on democratic legitimacy with the aim to identify the potential contributions of national parliaments and opposition parties. The goal is to show how research on opposition in national parliaments can contribute to a better understanding of EU legitimacy. The chapter assesses two lines of the debate on an EU democratic deficit. The first one discusses whether standards of in- or output legitimacy should be applied. Thus, should parliaments have any role at all in holding EU-executive actors to account? This study sides with those authors who deem input legitimacy a necessary element for the EU. The second branch of the debate considers decision-making in the EU in light of consensus versus majoritarian democracy. The dimensions of inclusion or alternation and the role of opposition parties become relevant for this section.

#### ***Democracy versus efficiency***

One way to conceive of democracy in Europe is in terms of a “chain of delegation” (Müller 2000). In representative democracies, citizens delegate authority to parliaments whom in turn delegate power to executive actors. The executive again outsources some tasks to independent agents and involves its administration in the implementation process. In order to assure that the outcome is continuously in citizens’ best interest, a “chain of accountability” should run in the opposite direction from the executive actors to the citizens (Strøm 2000, Auel 2007).

Within this logic of delegation every democratic system is confronted with the question, which tasks can and should be delegated to independent experts and what to maintain in a

political decision-making mode (Schäfer 2006: 187). Delegation to bureaucracy can potentially increase the efficiency and effectiveness of decision-making of a political system. Well-designed policy results provide legitimacy through output. However, decision-making by independent experts is shrouded from political debate and electoral competition.

The question of political decision-making versus delegation is especially delicate for the EU. The EU institutions can be considered an additional step in the “chain of delegation” (Bergman 2000). Executive power is diffuse within this political system and involves multiple actors as the Commission, the Council, the European Council, the ECB and various EU agencies (Crum 2003: 297). The supranational actors, Commission and CJEU, are quite independent in the mode related to exclusive EU competences. The EU therefore walks a thin line between efficient technocratic problem-solving and “delegative overstretch” (Crum 2003).

A measure for adequate delegation to independent actors could be derived from the practices in modern nation states. Delegation to independent experts is common where it serves the purpose to safeguard long-term interests or where high-level expertise is required in the decision-making process (Thatcher 2002). The relatively short legislative cycles threaten to undermine long-term interest of a democratic system. Self-interest maximizing, elected politicians would sacrifice long-term interests of society for the own benefit of re-election (Schäfer 2007: 189). Monetary policy is a good example for this reasoning behind delegation. Central banks watch over monetary stability as independent agents, since they are not compromised by other short-term goals that could motivate elected officials to sacrifice this policy goal. The judicial branch is a good example for expertise as motivation for delegation to independent agents. Judges enter the court system without public elections, yet are often accepted as legitimately ruling on difficult legal questions due to their extensive legal expertise.

At national level, political systems combine different sources of input and output legitimacy. In majoritarian democracy, power is more focused on elected officials, while independent central banks and constitutional courts often characterize consensus democratic systems. Compared to the standards of national democracies, the EU lacks behind in terms of input legitimacy. Before the Euro crisis hit Europe, several researchers argued that legitimation of the EU could be derived primarily through output (Majone 1998, Scharpf 1999, Moravcsik 2002). Majone (1998) and Moravcsik (2002) used to be the

strongest defenders of better policy results as source of legitimacy for the EU. They adapted the two key arguments for output legitimacy – safeguarding long-term interests and efficiency – to the EU system. Importantly, they defined certain conditions under which delegation to independent agents is adequate. For Moravcsik, delegation to supranational agents is an effective tool for national governments to show credible commitment in the establishment of the common market. He argues that supranational actors have little autonomy as intergovernmental decision-making modes prevail. Majone (1998: 10) differentiates adequate decision-making modes depending on the effect of the act: Pareto-efficient decisions can be dealt with by delegation to independent agents, whereas redistributive measures need to be based on majoritarian procedures. He conceptualized the EU as regulatory regime as EU measures used to be first and foremost pareto-efficient decisions. It is seen as a system of limited competences with no general taxing and spending powers.

The argument on output legitimacy as sole source of legitimacy has always been contested and has come under stress in the past years with the (lack of) solutions to the various crises in Europe. First, authors contend whether the EU has the preconditions for a focus on output legitimacy and whether these normative ideals are still adequate. Second, it is argued that delegation should be accompanied by stronger accountability mechanisms in the EU.

It is questioned whether EU competences are limited to pareto-efficient issues. While some regulatory practices can arguably produce pareto-efficient outcomes, there have always been redistributive effects of EU rule making. The support for structurally weak regions or for farmers and the research and development sector produce clear winners and losers (Føllesdal and Hix 2006). Since the outbreak of the financial and debt crisis in 2010 as well as the uncoordinated reactions to the migration crises in 2015, the theoretical approaches defending the system of EU governance via pareto-efficiency and output legitimacy have come under stress (Armingeon et al. 2015, Scharpf 2015, Majone 2016). The Euro crisis has brought the redistributive effects of the common currency to the fore (Armingeon et al. 2015). The bail-out of Greece exemplifies how the rule by “technocracy” can contradict democratic legitimacy in the input sense. The European Central Bank and the German Constitutional Court were key players in the decision-making on the Greek debt crisis. Despite the tremendous political relevance and extreme redistributive effect significant parts of the decision were made by actors, which are removed from electoral control (Mény 2012: 156).

Majone's approach from 1998 was suited to describe the supranational mode of decision-making as it focuses on justifying the independent regulators at EU level: the European Central Bank, the Court of Justice of the EU and the Commission.<sup>1</sup> The legitimation through output alone for the entire polity and all its decision-making modes has, however, been criticized as justifying "benevolent dictatorship" (Katz and Mair 2002, Bellamy 2010). While experts may in the best case comply with normative goals of the society, regulatory institutions are not *responsive* to change in citizens' preferences (Dahl 1998, Føllesdal and Hix 2006). Authors argue that only elections provide the incentive for the elite to continuously adapt to changing preferences. Elections assure that policy options are debated in public and provide an opportunity of opinion formation. While rational choice theories usually assume that preferences are endogenous and pre-determined, Hix and Follesdal (2006) argue that preferences of voters are shaped through public discourse. This study sides with the view that EU legitimacy cannot primarily be based on output legitimacy.

Furthermore, delegation to EU level is contested as it alters the balance of power at domestic level. Schäfer (2006: 194) argues that delegation to independent actors at EU level is only legitimate as long as decisions are reversible or policy goals consensual. One reason for the lack of public political conflict around decision-making can be seen in the pre-agreements of the *acquis communautaire*. The EU treaties define the finalization of the internal market as key priority. As the goal of the four market freedoms (capital, goods, people and services) is now inscribed in an international treaty, parties have effectively lost the policy space around the question of economic liberalization in Europe (Mair 2007):13). Also, the delegation of competences to independent agents as the CJEU, ECB, Europool or the other EU regulatory agencies reduces the scope of political choice for elected representatives in these policy areas. The rule by "technocracy" contradicts democratic legitimacy in the input sense. EU treaties and secondary legislation are difficult to reform. The norm of consensual decision-making favours the status quo (Scharpf 1998). Even a unilateral exit of the Union proves difficult in the current "Brexit" negotiations. Where contested policy decisions are fixed over time by delegation to the EU, governments can manifest their preferences beyond their time in power. Hix and Lord (1997) argue that governments use the EU level to constitutionalize their party political preferences (see also Schäfer 2006: 195). Mainstream parties most frequently hold majorities in the (European) Council, *de facto* side lining representation through parties on the fringes of the political spectrum at EU level. The opportunities and power of opposition is significantly limited in

this reading of EU decision-making processes. In this, legitimacy suffers as majority decisions become less acceptable for minorities where they do not have the prospect to design policy decisions according to their own preferences in the future.

Finally, for national parliaments the classic principal-agent problem of an information advantage of the agent strengthens the power of the executive (Auel and Benz 2005). Only executive actors have direct access to EU negotiations and gain a strategic advantage over other domestic actors. This makes it difficult for parliaments to control their minister in the Council and much more to keep the prime minister or president under control in the European Council (Wessels et al. 2013). As parliaments do not participate directly in the negotiation situation, they can only with difficulties understand the win-set in the negotiations. How can MPs know if an unfavourable result emerged from a difficult negotiation situation or the lack of genuine approach by the government actor (Crum 2003)? The internationalization of governance has been argued to trigger a process of de-parliamentarization at the national level. Parliaments are confronted with the output from EU negotiations as *fait accompli* and decline to mere rubber-stamping bodies in the ex-post phase. There are two potential solutions to this problem: the strengthening of the European Parliament or stronger involvement of national parliaments in the ex-ante phase to decision-making.

In principle, the European Parliament could act as legitimacy source for EU legislation. It is a directly elected body representing European citizens' interests. However, two main problems limit the capacity to fully substitute the national channel of legitimacy. First, the elections to the European Parliament are of "second order" nature (Reif and Schmitt 1980, Hassing Nielsen and Franklin 2017). National issues dominate the election campaigns why the results do not neatly represent citizens' preferences towards EU policy. Second, the EU citizenry is so heterogeneous that it cannot be defined as a single European demos. Researchers have coined the term *demoi*-cracy to account for the multiple nationalities that are integrated in the European space (Nicolaidis 2013). The multi-lingual national traditions result in a fragmented institutional structure of the media landscape and multiple – at best inter-related – national public spheres. This makes it difficult for a single supranational parliament to communicate the upcoming policy choices to their electorates and to present the broad variety of citizens' interests. Instead of strengthening the supranational parliamentary branch in the EU, authors have argued that national parliaments should become more internationalized in order to better scrutinize their own government's EU

activities. The domestic parliaments are well-established institutions that can “translate” EU developments to their national political debates.

These “sleeping beauties” have slowly woken up to the challenges of EU decision-making. All parliaments installed specified procedures for better scrutiny of EU affairs, such as committees on EU issues and information or mandating rights (Bergman 1997). Some researchers argue that national parliaments are the “losers” of EU integration (Maurer and Wessels 2001). Other authors see domestic parliaments as “fighting back” to re-assure their influence (Hix and Raunio 2000, Auel et al. 2015a). As again, the normative measure for “good” parliamentary scrutiny is debatable, the question of de- or re-parliamentarization is still a matter of dispute (Rozenberg and Heftler 2015: 17).

This study cannot address the over-arching question on the adequacy of delegation to independent experts in the European Union. Much more, it takes the argument on “delegative overstretch” as a starting point. The study of parliaments and of opposition addresses the question of executive dominance in EU affairs and potential remedies. The focus is on parliaments at the lower level of governance, where the pre-constitutional requirements of democracy are less problematic than for the European Parliament. The analysis of legislative scrutiny and public debate of EU affairs by national parliaments addresses the debate on the balance of power between government and parliaments. The main question in this regard is: *how much* do national parliaments engage in EU affairs? One element to evaluate national parliaments’ contribution to EU legitimacy is their awareness and ability to cope with EU developments. Here, their institutional capacity and involvement as an institution matter.

This thesis goes beyond the “two-body image” of parliament versus government. The main political cleavage does not run between the institution of parliament and government, but between the governing majority and opposition. The executive dominance in EU affairs diminishes the influence and future opportunity structures especially for parties in minority (see Schäfer 2006). The focus on activities by opposition is therefore justified by the need to understand the political dynamic and lines of conflict between government and opposition in the realm of EU affairs.

### ***Consensus or majoritarian democratic perspective***

The prior section has considered the dimension of output versus input legitimacy as a trade-off between efficiency and formal democratic procedures. This section focuses on the side



of input legitimacy and assesses different concepts on how legitimacy should work in terms of participation and procedures. Here the question is not just *how much* should parliaments and opposition be involved, but also *what kind* of parliamentary opposition activity contributes to EU legitimacy? This section draws on the dimension of legitimacy ranging between alteration (majoritarian democracy) and inclusion (consensus democracy) as defined in Section 1.1.2.

Prior research has analysed the EU in light of consensus democratic models and assessed in how far the EU political system complies with the institutional and procedural indicators of this democratic ideal (Gabel 1998, Schmidt 2000, Kaiser 2002: 42-47, Lijphart 2012). The European Union complies in many respects with the logic of a consensus democracy. We can see that on the vertical level, the heterogeneous citizenry of the EU is accounted for by a federal and decentralized structure. The member state governments maintain a strong position in the EU decision-making procedure. Much more, the lower level of governance is stronger than the supranational one. Especially, parties are dominated by the national level of party leaderships. Nominations to EP candidacy and other EU offices are largely dependent on the national party group (Hix 2010: 230). The supranational and intergovernmental institutions are intertwined closely in the Ordinary Legislative Procedure. In formal setup and informal practice, the legislative procedure involves multiple veto players who agree by means of elite bargain and a cooperative style (Marks and Hooghe 2004). In the consensus model, legitimacy results from the inclusion of multiple veto players. The complicated EU decision-making process that requires agreement by many different actors is valued positively. From this theoretical lens, national parliaments should be involved ideally with mandating power and potentially stronger rights in the EWS, e.g. through a reduced threshold for “yellow cards” (Kreilinger 2018).

Despite this positive evaluation, the democratic legitimacy comes into question due to a weakness well known in all consensual democratic systems: The risk that multiple veto players and cooperative decision-making results in stagnation and blockage. It favours the *status quo* since drastic changes in policy direction are difficult to achieve under inclusion of multiple veto players as proven in reactions to the Euro crisis<sup>11</sup>, the migration crisis or the post-Brexit situation. The logic of decision-making does not allow EU leaders to impose drastic reforms, at times hindering effective governance. This incapability to act potentially reduces the “output legitimacy” of the political system (Scharpf 2015, Majone

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<sup>11</sup> The ESM and Fiscal Compact were installed in form of intergovernmental treaties outside of the EU treaties.

2016: 271). Due to the logic of power sharing, a consensus democracy relies on negotiating compromises among elites, which are often negotiated behind closed doors. Compared to a model of democracy that centres on the driving force of party conflict and public deliberation, the decision-making process is removed from public attention. This leads to an alternative analysis of EU legitimacy from the point of view of majoritarian democracy.

Competition between parties is considered a key factor for producing legitimate outcomes in majoritarian democratic theory. Scholars agree that a certain homogeneity among citizens is a necessary precondition for purely majoritarian systems. Majority voting is perceived problematic where it creates permanent minorities that do not have a chance to get into power themselves one day. This model of democracy is characterized by a concentration of power in the hands of the elected majority (Lijphart 2012). There are two logics of how party competition contributes to democratic legitimacy of a majoritarian system. Under the pressure of competition, parties need to constantly readjust their policy programmes to the citizens' interests and remain reliable and responsive (Downs 1957, Budge 1994). For economic theories of democracy this is the main legitimating function. Approaches incorporating deliberative elements of democratic theory, point to a second logic. Here, party competition serves to spark public debates. One key strategy for opposition parties is to publicly voice criticism of the government and present their own positions on current policy issues to win votes in the next election. Public deliberation influences the formation of preferences of the citizens (see Føllesdal and Hix 2006). Following theories of deliberative democracy the representation of minority views in public debate is crucial for the acceptance of a policy decision (and in the long run, of the polity) for the ones outvoted (see (Eriksen and Fossum 2000)). While the model will never be applicable as such to the EU where citizens are very heterogeneous, an assessment of this form of democracy may help to point out weak spots in the current system.

One criticism from majoritarian logic regards the electoral system of the EU: The impact on the party political composition of the EU executive is close to inexistent. First, the Council is determined by national elections and does not give voters much influence on the overall political direction of this body. Second, the link of the European Parliament's seat share to the political affiliation of the Commission cabinet is weak. Even after introduction of the "Spitzenkandidaten" procedure, negotiations among the heads of state or government in the European Council co-determine the choice of candidates for Commission posts (Höing and

Müller Gómez 2014). In a nutshell, the votes have only limited impact on the formation – and alternation – of government.

A main point of critique of the EU political system from a majoritarian perspective is what Vivienne Schmidt termed “policy without politics” (Schmidt 2006). This school of thought argues that EU issues are often dealt with in technical terms or behind closed doors. This de-politicization of decision-making at EU level causes a fundamental lack of public debate and political competition about the content and direction of EU policies. Føllesdal and Hix (2006) see the key problem of EU democratic legitimacy in a lack of political contestation of rival candidates in elections who would present credible policy alternatives. Politicization means that policy issues become salient in the public sphere and are contested among the political parties or in public debates (de Wilde 2011). Thus, voters gain awareness of the issue at stake and understand their choice among policy alternatives.

Mair (2007) argues that de-politicization is furthermore a result of political parties addressing the wrong electoral arena. Despite the fact that the transfer of competence to the EU is exclusively determined by national governments and parliaments, the national electoral campaigns do not address EU integration (Mair 2007, Senninger and Wagner 2015). Questions of “more or less Europe” are instead discussed in election campaigns to the European Parliament, which does not hold any competences on the design of the polity. The elections to the European Parliament are of “second order” nature because national topics dominate the campaigns (Reif and Schmitt 1980). As a consequence of the confusion of the two electoral arenas, the vote and seat share of the European Parliament does not necessarily represent the policy positions of the electorate towards EU policymaking. And it is assumed that national parliaments do not sufficiently represent citizens’ views on EU integration.

In a similar vein, Hooghe and Marks (2009) see mainstream parties as the agents who de-politicize EU policymaking. They argue that mainstream parties keep Europe off the political agenda due to a mismatch of traditional cleavage structures with party positions on EU integration. The authors demonstrate how the party positions on support or criticism of EU integration run counter to the left-right cleavage in politics. Thus, mainstream parties risk internal divide when debating EU issues. Moreover, parties often are more favourable of EU integration than the electorate (“citizen-elite-gap”) (Hooghe 2003). Both discrepancies are avoided, if EU decision-making is kept off the agenda. From the perspective of majoritarian democratic theory, the depoliticized nature of the EU decision-

making process causes the democratic deficit. The communicative function of parliaments matters most to address this legitimacy deficit.

This study tests Mair's (2007) argument that political actors keep EU issues off the agenda. Parliaments are the official forum for political debate at elite level. The governing parties may exercise important control functions over the executive, but avoid public conflict with the own party leadership in government. In so far, this study considers opposition as the driving force for critical debate on EU issues: What explains the extent of competition by national opposition parties? Under what circumstances does opposition attack governing parties on issues of EU integration and EU policymaking? Research has investigated the presence of EU issues at national election campaigns (de Vries 2007, Senninger and Wagner 2015). This study asks about the time in-between elections.

#### ***1.1.4. Summary***

This Chapter 1.1 developed an analytical framework for EU legitimacy and reviewed the literature in view of two lines of discussion of the EU democratic deficit: on input versus output legitimacy as well as a consensus versus majoritarian approach. Researching opposition in national parliaments can contribute to both debates. In view of EU democracy as "chain of delegation", it is debated whether parliaments at national level exercise effective oversight. To better understand the role of national parliaments in the EU, the empirical analysis of this study should show *in how far* domestic legislatures are involved in EU affairs. Some form of involvement is precondition for any contribution to EU legitimacy through input. However, it remains debatable *what kind* of EU scrutiny parliaments and opposition should exercise. This chapter considered the two approaches of consensus versus majoritarian democracy.

In the perspective of consensus democracy, multiple veto players are valued positively as they contribute to legitimacy in form of inclusion. From perspective of majoritarian democracy, the main deficit of the EU is the lack of public political competition and politicization of the decision-making process. A choice for the electorate requires contention among political elite and a public debate of alternatives. This study takes this approach as a starting point for an investigation of opposition parties' EU scrutiny activities in national parliaments.

Opposition party groups are the "natural agent" to politicize EU issues within the domestic arena. The logic of party competition should incentivize them to actively challenge the

government and provide alternative policy solutions to the electorate on EU affairs. Control of the governing majority within parliament will mostly take place behind closed doors, as the governing party needs to present a coherent position towards their voters. Opposition parties are therefore the most likely actors to enhance EU legitimacy in the most urgent form of politicization.

## **1.2. State of the art: National parliaments and the EU**

This thesis sets out to understand the role of national parliaments in the EU by focussing on opposition parties' EU scrutiny activities. This Chapter 1.2 gives an overview of the developments in researching national parliaments and the EU to explain this focus.<sup>12</sup>

National parliaments role in the EU gained attention in the 1990s with the new competences and revised EU decision-making modes introduced by the Maastricht Treaty. National parliaments were considered the “losers” (Maurer and Wessels 2001) of the EU integration process. Competences delegated to EU level are removed from the legislative power of national parliaments in the sense of a zero-sum game between the national and the EU level. Whereas governments maintain control through their (quasi-)veto position in the Council,<sup>13</sup> parliaments do not participate directly in EU decision-making. Some authors argue that this loss of influence can be compensated by early information on upcoming EU legislation and by ex-ante scrutiny rights prior to Council negotiations (see Auel and Benz 2005). Up until today research is divided on whether we witness a de- or re-parliamentarisation of EU affairs (Norton 1996, Hix and Raunio 2000, Maurer and Wessels 2001, Auel and Benz 2005, O'Brennan and Raunio 2007).

Over time national parliaments have developed different channels of influence on EU affairs accompanying the continuing EU integration. Research on domestic parliaments has become more specialized mirroring this real world development. National parliaments' tasks have been differentiated by political system shaping or day-to-day policymaking. In the following I will assess research on each channel of parliamentary influence.

First, the legislative control functions of national parliaments are reviewed. Active and effective parliamentary control over EU policymaking could address the EU democratic

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<sup>12</sup> For complementary overviews of the literature: Goetz and Meyer-Sahling (2008), Raunio (2009) and Winzen (2010), Rozenberg and Heffler (2015).

<sup>13</sup> Hayes-Renshaw and Wallace (2006: ) have shown that the Council decides in most cases unanimously, even when policy areas fall under the decision-making mode of qualified majority vote.

deficit in terms of better inter-institutional checks (see Section 1.1.3). Studies on this dimension ask how well parliaments are informed and how strong they are vis-à-vis their government. Second, the literature review addresses the communicative function of national parliaments on EU issues. With public debate of EU affairs, domestic parliaments could reduce the EU democratic deficit through politicization (see Section 1.1.3). Research investigates the salience and polarization of EU issues in plenary debates.

While research of national parliaments has been focused on institutional adaptations, some recent studies started to investigate the political dynamic driving the use of EU scrutiny instruments (Raunio 2009, Auel et al. 2015a, b, Finke and Dannwolf 2013). For each channel of influence I assess the explanatory factors towards the political motivation to use the parliamentary instruments and I assess studies accounting for the government-opposition logic therein.

The focus of this study and in this literature review is the role of opposition parties. Research on national parliaments addressed the direct access to EU level through the “Early Warning System” and inter-parliamentary cooperation that the Lisbon Treaty strengthened.<sup>14</sup> This study does not investigate these channels of influence, as they are not relevant for the competition between governing and opposition parties. The Early Warning System is not available to opposition, as issuing reasoned opinions requires majority vote. The descriptive analysis of oppositions’ EU scrutiny activities in Chapter 4.2 demonstrates that opposition parties do not use this channel of influence to compete with the government. Inter-parliamentary cooperation has been argued to be of special relevance for opposition party groups (Miklin 2013). Empirical analysis of participation and motivation for opposition MPs does not show a strategic approach of opposition towards inter-parliamentary cooperation (Heffler 2015). There is limited variation between opposition party groups, why this channel of influence cannot be analysed within this research design.

This study does not investigate the relationship between parties in minorities and the constitutional courts either. Some countries provide the opportunity of reviewing the constitutionality of EU treaty making. In the period of investigation, the reform of the Art. 136 TFEU that enabled to install the ESM triggered appeals to constitutional courts in

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<sup>14</sup> In 2006, Barroso initiated the political dialogue between the Commission and national parliaments. In informal statements (opinions) parliaments can formulate their position. This channel remains without any formal influence. Parliaments see this contact to the Commission rather critical as replies come in late and an impact of the parliamentary opinions is questionable (COSAC reports). Research on the political dialogue is limited and not covered in this literature review.

several countries. The dynamic on the interplay of parliament, executive and constitutional courts during the Euro crisis has been investigated comprehensively in prior studies (see for example Höing 2015). This study focuses on the opposition party activities within parliamentary procedures.

### ***1.2.1. Legislative scrutiny of EU affairs***

Research on the legislative control over EU affairs has started out by studying the institutional adaptations of parliaments to control EU decision-making. How did national parliaments react to the challenges of EU scrutiny and how much influence can they exert in this multilevel setting? Three elements of parliamentary institutional structures are deemed relevant for a good disposition to scrutinize EU affairs: information access, the ability to write resolutions or mandates and the committee structure (see for example Bergman 1997, Winzen 2013).

The first element, information access, is the precondition for any meaningful parliamentary control. Studies that have applied the principal agent approach to the relation between parliament (as principal) and government (as agent) emphasize the problem of information asymmetry between the two actors (Bergman 2000, Auel 2007, Sprungk 2010). One innovation of the Lisbon Treaty was that the EU Commission forwards legislative proposals, Green and White books to national parliaments directly (Art. 12 (a) TEU). It has alleviated the information asymmetry between government and parliament to a certain extent. However, only the government can inform on the member states' position on an EU proposal. Sprungk (2010) argues that in EU affairs both, government and opposition parties, have to rely more on the information from third parties to stay in control over the own government's activities behind the closed doors of the Council. Still, formal information rights are of special relevance for the opposition in parliament (Powell 2000). The majority parties will most likely receive some relevant information from the government through the party channel. The opposition does not have this form of access to the governmental branch.

In regard of the second element of institutional capacity, all parliaments in the EU possess the right to formulate resolutions expressing the parliamentary position on an upcoming EU decision (Bergman 1997). Yet, they vary significantly in the degree of authoritative power over the national position. Resolutions can have either judiciary power or are politically

(that is, informally) binding. Some parliaments, as Austria, Denmark, Estonia, Finland, Latvia, Lithuania, Rumania, Slovenia, Slovakia and Sweden hold the right to issue mandates on the government position in Council negotiations (see Heffler et al. 2015). Mandates are often considered a very powerful tool for national parliaments control over EU issues (Bergman 1997, Maurer 2002, Winzen 2013). However, this instrument lies in the hands of the majority parties. Resolutions and mandates are usually decided upon by simple majority in parliament. This may explain why resolutions and mandates are rare under single party or coalition governments and, if issued, often rather supportive of the government position or general in nature (see Miklin 2015: 395).<sup>15</sup> Pollak and Slominski (2009: 195) point to the intrinsic difficulty of mandates at the example of Austria. As parliament does not participate in the negotiations directly and might not have enough information on the “win-set” in the EU process, a very specific mandate can produce a negative outcome for the member state.

The third element of institutional capacity is the internal processing of EU affairs. Elected officials in parliaments face the challenge to stay informed on an ever more complex globalized and technically advanced environment. Parliaments have built own administrative structures that provide expertise and developed committee systems where MPs hold expert knowledge on a certain policy field. Most parliaments acknowledge the complexity of EU decision-making by employing a higher number of staff to support the European Affairs Committee than for other specialized committees (Högenauer and Christiansen 2015: 128). From a normative point of view, it can be seen critical that these supporting administrators are entrusted with some politically sensitive tasks when parliaments gain more responsibilities in EU affairs (Högenauer and Neuhold 2015). For example, most parliamentary administrations pre-select incoming EU documents for committee debate and gain significant agenda-setting influence.

An important part of legislative work takes place at committee level. It is often the place where motions, resolutions or mandates are formulated which will be a matter of vote in the plenary. All parliaments have established committees specialized on EU affairs by the 1990s (see Bergman 1997).<sup>16</sup> The advantage of the European Affairs Committees (EAC) is, that its members possess the knowledge on the complex proceedings of EU decision-

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<sup>15</sup> Denmark, the Netherlands and Sweden are often governed by minority governments. Under this circumstance mandates represent a regular tool of EU scrutiny (see Auel et al. 2015: 81).

<sup>16</sup> Member states that accessed the EU usually installed committees that scrutinized the accession process and would turn into full EU affairs committees thereafter.



making. In the past years, some parliaments have however opted to “mainstreaming” (Gattermann et al. 2015) EU affairs to all specialized committees. The other specialized committees might lack the EU background, but are better able to estimate the impact of EU legislation on the respective policy area in the context of existing and upcoming domestic policies.

A number of cross-country comparisons engaged in ranking and explaining the institutional strength on all three dimensions of information access, resolutions or mandates and internal processing of EU affairs (Bergman 1997, 2000, Raunio 2005, Saalfeld 2005, Karlas 2011, Winzen 2013). Though these comparative analyses vary in territorial scope and time period, results converge on the relevance of domestic institutional strength as main explanatory factor. The stronger the position of parliament in the national political system, the better a legislature is equipped for EU scrutiny.<sup>17</sup> The relevance of public and party Euro-scepticism on parliaments’ EU institutional capacity has been more controversial (Raunio 2005, Karlas 2011).

A more recent comparative analysis faced the challenge of integrating the active use of scrutiny instruments in EU-wide cross-country comparison. Auel et al. (2015a) collected data on the frequency of resolutions or motions, committee meetings, plenary debates and (reasoned) opinions. The institutional prerogatives on EU affairs turn out to be the strongest predictor for a frequent use of resolutions or mandates, longer plenary debates on EU affairs and EAC meetings.<sup>18</sup> Interestingly, only for salience of EU issues in plenary time, did the presence of Euro-sceptic parties and the involvement in the EMU matter (Auel et al. 2015b: 296). Other political factors, as government-opposition dissent and public Euro-scepticism, do not show an effect on legislative work or plenary time.

The pan-European comparative analyses of institutional prerogatives on EU affairs and their use have made an important contribution in explaining variation among national parliaments. First, they have shown that there are strong asymmetries in the parliamentary EU scrutiny at domestic level. This incoherence puts in question whether domestic legislatures can in fact “substitute” the European Parliament. Speaking of *one* EU

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<sup>17</sup> Focussing on crisis related activities, Auel and Höing (2015) also find support for the relevance of institutional prerogatives. Two recent contributions have used the method of Qualitative Comparative Analysis (QCA) to explain the institutional prerogatives towards the crisis mechanisms (especially the ESM). In line with the studies on overall EU institutional prerogatives, they find that prior EU-related institutional strength is the strongest explanatory factor for strong control rights on the ESM (Rittberger and Winzen 2016, Höing 2015a).

<sup>18</sup> This finding justifies the intense study of institutional capacity of national parliaments.

democratic deficit possibly overestimates the coherence of this polity, much more we can see many different national EU-related democratic deficits. Second, the quantitative analysis of scrutiny activities demonstrates the path-dependence for strong (or weak) parliaments, as prior institutional prerogatives were the best explanatory factor in all analyses. However, the study on parliamentary practice covering a large scope of up to 28 countries necessarily remains superficial. The aggregate number of activities does not consider content or quality of individual contributions. In so far, it does not inform much on the impact on EU policy, the level of contestation or the degree of control over the own government. This might be the reason why most of the political factors taken into account, such as government-opposition dissent as well as public and party Euro-scepticism showed no or very limited effect (Auel et al. 2015b: 296).

A few studies have addressed the government-opposition logic for EU scrutiny in more detail.<sup>19</sup> Auel and Benz (2005) theorize the different roles of majority and opposition in parliaments for the realm of EU affairs. They argue that both are in a dilemma of the need for additional scrutiny (as EU negotiations are more remote) and the loyalty to the own government (for the majority) or the danger to undermine national interests (for the opposition). Holzhaecker (2002, 2005) studies the scope of influence of opposition parties on EU affairs in Denmark, Germany, the Netherlands and the UK. He shows that the type of government (minority, coalition or single party majority) is crucial for the strength of opposition parties in EU affairs. Finke and Dannwolf (2013) explain the initiation of EU scrutiny at committee level in the Czech and German parliaments in the EU multilevel setting. They show that opposition MPs initiate scrutiny more frequently, if their counterpart in the European Parliament is strong.<sup>20</sup> In an extension of this approach on eight parliaments, Finke and Herbel (2015) found that scrutiny at committee level is initiated more frequently, if the positional distance is larger between governing and opposition parties; especially in the case of a weak government.<sup>21</sup>

These findings point to the relevance of the political dynamic in scrutiny of EU affairs and that it is worth further investigation. More in-depth small-n studies can help refine existing hypotheses and generating new insights. These can account for the quality of parliamentary

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<sup>19</sup> This literature review deliberately ignored legal approaches, monographs and the grey literature. For collections of monographs see Barrett (2008), Maurer and Wessels (2001), Norton (1996), O'Brennan and Raunio (2007), Tans et al. (2007).

<sup>20</sup> Inversely, Proksch (2010) shows that MEPs direct more questions to the Commission, if their domestic party holds opposition status.

<sup>21</sup> The study covered Finland, Slovakia, Ireland, Germany, Poland, Italy, the UK and France for the time period of 2000 to 2013.

scrutiny activities and for better understanding of the political dynamic behind the scrutiny activity. This study investigates EU scrutiny of opposition parties at committee and plenary level. Beyond the mere frequency of scrutiny activities, it accounts for the policy topics addressed as well as the degree of contestation to better understand the intensity of political conflict around EU issues. Domestic matters are included in the empirical analysis as they serve as a reference frame for the intensity of EU scrutiny.

### ***1.2.2. Debating EU affairs in national parliaments***

A recent strand of research on parliaments in the EU argues that the communicative function forms an important, but understudied, contribution to EU legitimacy (Auel and Raunio 2014b). Public debates are a forum for majority parties to explain and defend their parties' approach and an opportunity for the opposition to voice their criticism and to point to alternative solutions. The debates have an important function in justifying the policy decisions and to make the allocation of responsibilities transparent for the electorate (see Closa and Maatsch 2014: 830). The presence of EU issues in domestic plenary debates has been investigated in terms of their salience and their polarization. In this branch of research on national parliaments, the party political dynamics are prominent explanatory factors. One assumption relevant for this study is the role of Euro-sceptic challenger parties for political contestation. Studies on polarization often account for the classic government-opposition divide on the left-right dimension of political conflict and the division between mainstream and challenger parties from the political extremes.

Research on parliamentary communication has investigated the salience of EU issues in plenary debates studying selected countries (Auel and Raunio 2014a, Auel 2015, Rauh 2015). Auel and Raunio (2014a) have analysed how much time MPs devote to EU-related plenary debates in Germany, Finland, the UK and France from 2002 to 2010. They do not find support for the expectation on more EU salience for parliaments with a Euro-sceptic party. Much more the German *Bundestag*, where party groups hold a pro-European consensus, devotes most plenary time (as share of total debating time) to EU issues. However comparing seven countries, Auel (2015) shows that Austria – who has a strong Euro-sceptic challenger in parliament – debates EU issues to the same extent as Germany and Finland.<sup>22</sup> Rauh (2015) studies the presence of EU references in statements by MPs

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<sup>22</sup> The *Bundestag* nevertheless spends twice as many hours in absolute terms debating EU issues than the *Nationalrat* (Auel 2015: 3–4). The share of EU issues of total plenary time ranges range around 12 to 14 per cent both countries.

within the German *Bundestag* from 1991 to 2013 using automated content analysis. In this longitudinal analysis he shows that EU-related statements in the plenary increase with every treaty revision and increased use of authority (number of directives) by EU institutions. On the party group level, the results point to stronger involvement of governing parties. Surprisingly, none of the indicators that identify Euro-sceptic challenger parties (small constituency and higher number of EU references in election manifestos) show significant results. However, the German parliament to date does not have a truly extreme EU-sceptic challenger party as other European countries do. In terms of salience, institutional factors show an effect in comparative analyses. The current state of research does not deliver positive results on an effect of challenger parties on more plenary time of EU issues. If the quantitative scope is not clearly influenced by these party dynamics, it might however show in the quality of debate on EU issues.

In the EU democratic deficit debate publications stress the relevance of politicization of EU issues (see above Section 1.1.3). A few studies have investigated the political contestation of EU issues in plenary debates to understand national parliaments' contribution to informing the citizens on alternative policy solutions (Closa and Maatsch 2014, Maatsch 2014, Miklin 2014b, Wendler 2014, Wonka 2016). In debates on treaty revision, Wendler (2014) finds a stronger contestation on the left-right axis and between government and opposition parties than for mainstream versus challenger parties. In the four countries under investigation (Austria, France, Germany and the UK) in the period from 2005 to 2009, the traditional logic of political conflict prevails over the "new" dimension of mainstream versus extreme – often Euro-sceptic – parties. Other studies on politicization in plenary debates concentrate on crisis mechanisms.<sup>23</sup>

Closa and Maatsch (2014) investigate the support of the European Financial Stability Facility (EFSF) in eleven countries. Contrary to Wendler's findings on treaty revision debates the strongest conflict is, here, between Euro-sceptic parties versus the mainstream. For the installation of the EFSF mainstream opposition parties supported the government parties, why the government-opposition divide is blurred. The left-right dimension has some relevance, yet is not predominant. This finding is supported by Puntischer Riekmann and Wydra's (2013) argument on a "European rescue discourse": For Austria, Germany and

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<sup>23</sup> Wendler (2014) also finds interesting differences in the types of argumentation. Governing parties justify their EU activities by arguments on efficiency and economic benefit. Mainstream opposition mainly addresses socio-economic aspects of classic left-right dimension. Challengers attack the mainstream's ideas on EU legitimacy.

Italy the authors show that mainstream parties strongly linked saving the Euro to the rescue of EU integration as a whole in the period from 2010 to 2012. Only exceptions were the parties on the fringes of the political spectrum (the German Left party, the Austrian FPÖ and BZÖ and the Italian Lega Nord). Miklin (2014) focuses on debates in Austria and Germany in reviewing existing studies to point out the relevance of a EU-sceptic challenger party in parliament. Whereas German plenary debates on the crisis allow for contestation on the left-right dimension,<sup>24</sup> Austrian mainstream parties do not differ in their justification of crisis measures. According to Miklin (2014) the lack of left-right contestation results from the dominance of the pro-anti EU conflict in the Austrian parliament why mainstream parties together defend the EU project against the challenger.

In sum, the salience of EU affairs does not differ between Austria and Germany (Auel 2015), but the quality of debates seems to change drastically under presence of extreme, EU sceptic party groups. In contrast to research on the legislative control of national parliaments, the investigations on the communicative function accounts much more for the political dynamic. Yet, in debates on treaty reform the traditional conflict lines prevailed, while the main conflict lines in debates on the Euro crisis is between the mainstream and EU-sceptic challengers. Is this a result of the time frame, country specific or were the crisis debates unique? Future research should extend the scope of studying communicative action by national parliaments.

This study intends to investigate the driving factors for opposition parties' communicative competition. In this it contributes to a better understanding of the impact of the government-opposition logic on EU scrutiny. It compares the level of contestation in plenary debates in Austria and Germany. It thereby addresses the still unclear issue of different lines of political conflict in the two chambers to better understand whether a utilitarian or value dimension of conflict predominates.

### ***1.2.3. Summary***

This Chapter 1.2 reviewed research on national parliaments and opposition parties towards the EU in their functions of legislative control (1.2.1) and communication of EU affairs (1.2.2). Research on national parliaments and the EU faces two central demands: First, future research should go beyond institutional analysis and integrate the study of

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<sup>24</sup> Wonka's (2016) study of German plenary debates supports this argument. Overall, German opposition parties were more critical of austerity measures than the governing parties. The more ideologically distant the stronger was the critique.

parliamentary activities (Raunio 2009, Rozenberg and Hefftlar 2015). Second, Auel (2007) and Sprungk (2010) demand that research “opens the black box” of parliaments to understand the political dynamics behind the use of the channels of influence. While the institutional capacity of national parliaments is well explained, we still lack an understanding of the motivation of party groups to use these structures (see Raunio 2009, Rozenberg and Hefftlar 2015: 26–27).

While large-n quantitative analysis does not support the relevance of political motivation for scrutiny activities (Auel et al. 2015b), more specified studies show an impact of political competition on EU scrutiny. In view of the government-opposition logic, recent contributions show how conflict between these actors affects the legislative EU scrutiny and the communicative channel. Finke and Dannwolf (2013) demonstrate that positional distance of opposition parties from the government makes the initiation of scrutiny in committees more likely. In studies on plenary debates, polarization occurs along the traditional left-right (government-opposition) cleavage in treaty debates (Wendler 2014) and among pro-/anti-EU (mainstream-challenger) dimension for the crisis related debates (Closa and Maatsch 2014, Wonka 2016). The positional distance is reflected in the difference between “classic” opposition and new challenger parties on the fringes of the political spectrum. Thus, for both, legislative scrutiny and debating activities, the consensual or conflicting party positions play a role. While these first studies on parties’ motivation for EU scrutiny indicate the relevance of the topic, there remain many open questions.

### **1.3. Approach of this thesis**

This Section 1.3 outlines the approach of this study and links it to the state of the art. This thesis contributes to a better understanding of national parliaments’ role in the EU political system. The goal is to explain national parliaments’ EU scrutiny activities by conceptualizing opposition party groups’ motivation. The study addresses two demands towards researching national parliaments and the EU. It goes beyond a merely institutional analysis and investigates the use of formal opportunity structures. And it “opens the black box” of parliament and analyses the political dynamics within the institution.

One option to study party politics in parliament would be to analyse the intra-party mode of the majority party that refers to the conflict between backbenchers and party leadership in

government (see King 1976). Majority MPs are in a strong position to scrutinize their ministers' activity in the Council in parliament, as they can threaten to withdraw their power of the vote. Some studies were able to show that parliamentary scrutiny instruments are used to control ministerial drift (Finke and Dannwolf 2013, Miklin 2014a, Finke and Herbel 2015). However, intra-party control takes place behind closed doors. Parties are careful not to display internal conflict to the public. Public contestation is much more likely to stem from the opposition who often publicly attack government's policy proposals and argue for their alternative solutions. One strand of the democratic deficit debate argued that the public debate and elite contestation matters for more legitimate EU decision-making (see 1.1.3). The inter-party mode between government and opposition is largely understudied in relation to EU affairs (Holzhacker 2002, 2005, Finke and Dannwolf 2013). It remains an open question for what reasons and which type of opposition party groups become involved in EU affairs. In view of this research lacuna, this thesis poses the following research question:

Which factors explain opposition parties' EU scrutiny activities within the national parliamentary arena?

To answer this question I integrate theoretical approaches from party and opposition research to the realm of EU studies. Similar to legislative studies, research on opposition parties has long focused on institutional conditions. Only some recent approaches assess political factors driving opposition activity (Kaiser 2008, Steinack 2011, de Giorgi 2015, Moury and de Giorgi 2015). With the topic of opposition party activities towards EU affairs, this study enters uncharted territory. The research design therefore follows the logic of an explorative study. Focussing on two hypotheses, it employs an x-centred research design. The results of the empirical analysis are intended to lead to a refinement of the hypotheses (Levy 2008). The deductive and focused approach promises the best gain in knowledge. Though parliamentary opposition on EU affairs has not been addressed specifically, there is a range of theoretical approaches available that can be adapted to this specific topic. The topic could be addressed from a social constructivist perspective asking about MPs roles, norms and values, the social background of parties or political culture (Steinack 2011). Researching parliamentary opposition could set a focus on re-election by analysing the influence of public opinion or the salience of certain EU issues. Structural factors, as the party system, prior coalition arrangements and the type of government could serve as explanatory factors.

This study chooses the ontological background of rational choice institutionalism. The simple assumptions of rational choice provide a clear structure for a first investigation of opposition parties' EU scrutiny activities. The institutional structures of formal and informal rules matter, but are simply conceptualized as the rules of the game. Actors' motivation is determined by self-interest maximization. Utility maximization is defined as the goals of office- and policy-seeking as driver for party groups' activities (Müller and Strøm 1999). With focus on opposition party groups, the goals of office and policy can be achieved by two key strategies: cooperation or competition (Steinack 2011, Moury and de Giorgi 2015). The dependent variable of this study is opposition parties' parliamentary activities that are allocated to one of the two strategies of cooperation or competition. The strategies differ in how they contribute to EU legitimacy: cooperation increases the inclusion of societal actors on the input side, while competition contributes to the politicization of EU issues.

The theoretical part develops two hypotheses on the causal link between the motivation of party groups and competitive or cooperative scrutiny activity. The first assumption is derived from Sartori's (2005) definition of blackmail potential of parties and the differentiation of anti-establishment and mainstream parties (Abedi 2002). A party with an anti-establishment stance is expected to act more competitive towards the governing parties. The second hypothesis follows Blondel's (1997) argument on positional distance for the likeliness for cooperation among parties. Opposition parties, whose party positions are more distant to the governing parties, should be more competitive. This should hold true for the traditional left-right as well as the cultural dimension of political conflict (traditional-authoritarian-nationalist versus green-alternative-libertarian; TAN-GAL). With inclusion of the party type and the two dimensions of political conflict, the study is sensitive to a potential difference between content-related and principled opposition (Sartori 1966). This differentiation does not only play a prominent role in classic contributions to opposition research, but also in recent studies on communicative activities in national parliaments (Closa and Maatsch 2014, Miklin 2014a, Wendler 2014). It therefore addresses the current problem of increasingly prominent Euro-sceptic and populist or anti-elite parties.

The empirical analysis employs a case study approach. For a first test and refinement of the theory-guided hypotheses, selected case studies deem most appropriate (Levy 2008). The limited scope allows a more in-depth analysis that is better able to identify potential causal



mechanisms. Research objects are opposition parties of Austria and Germany in the legislative period after the enforcement of the Lisbon treaty (2008/9 to 2013). The case selection thereby holds institutional factors largely constant and provides sufficient variation on the independent variables. Whereas the party system of Austria is characterized by the presence of a strong Euro-sceptic anti-establishment party (the FPÖ and BZÖ), there is not a counter-part to this party present in the *Bundestag* during the period of investigation.

With this focus on party political motivation for parliamentary scrutiny, this study advances the state of the art in two aspects. First, it addresses the demand to go beyond institutional analysis and investigate the actual practice of parliamentary scrutiny. To do so, it opens the “black box “of parliament as institution and investigates the motivation of different groups of actors within a chamber. It integrates research on party groups’ motivation and on opposition parties into the realm of EU studies. It develops theory-guided hypotheses on the strategies of different types of opposition parties on EU issues. Especially, studies on the communicative dimension have shown the relevance of mainstream versus challenger opposition parties. How can we better explain what type of conflict opens up through what type of scrutiny instrument?

This leads to the second main contribution of this study to research on parliaments and the EU. The work of MPs is twofold. On the one hand, policy decisions are hammered out behind closed doors and legislative scrutiny proceeds at committee level. On the other hand, the final positions have to be justified in public debate. Research on national parliaments and the EU has so far treated the different channels of influence separately from each other. As different studies treat various countries and time periods and use differing methods, it is difficult to relate the results to each other. Is it the same party groups that emphasize legislative control that criticize EU issues in plenary debates? Are MPs from opposition party groups apt to address EU issues in committee work? This study encompasses both dimensions of legislative scrutiny and public justification thereof. In the discussion of the results it links the findings of all types of activity.

With the theory-guided and integrated approach on different channels of parliamentary influence and the in-depth empirical study of opposition’s motivation for EU scrutiny, this study can contribute to a better understanding of national parliaments’ role for the legitimacy of EU decision-making. The following section explains the structure of this thesis.

## **1.4. Structure of this thesis**

To answer its research question on opposition behaviour in EU scrutiny, the study proceeds in the following steps.

This introduction has located national parliaments' potential contribution to legitimacy in the complex system of EU decision-making. It reviewed the EU democratic deficit debate in order to argue for the relevance for studying opposition parties in domestic parliaments.

The following Chapter 2 of this work develops the theoretical approach. Rational choice institutionalism forms the ontological background of the study. The theoretical part integrates findings from research on opposition parties to the realm of EU studies. It argues that opposition – as reactionary force vis-à-vis the government – can employ a competitive or cooperative strategy. The chapter develops two key hypotheses that intend to account for the differences among opposition parties. The party type of anti-establishment parties and an increased positional distance between government and opposition are expected to lead to more competitive EU scrutiny behaviour. While the distance on the left-right dimension should matter, even more so should the pro-anti EU cleavage lead to a conflictive approach on EU scrutiny.

Chapter 3 argues the case selection and explains the methods of the empirical analysis. Austria and Germany are chosen according to the logic of a most-similar system design. Though different in size, the two member states share many institutional factors. The party groups, however, differ significantly on the two independent variables (party type and positional distance).

Chapters 4 and 5 present the findings of the empirical analysis. The first chapter of the results section presents the findings on the committee work (Chapter 4). It explains the frequency and quality of motions and voting behaviour of all opposition party groups in the two parliaments. Chapter 5 investigates the degree of political conflict in plenary debates. It uses a framing analysis and a measure for anti-elitism to understand competition from opposition parties in the debates.

Chapter 6 summarizes the findings from the two empirical chapters and links them back to the state of the art. The conclusions interpret the results in light of the EU democratic deficit debate.

## 2. Theorizing domestic opposition to EU affairs

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Opposition is an important element of a functioning democracy (Dahl 1971). It is vital to voice critique, control the government and propose alternative policies (Helms 2002: 24). Political science has discussed the “waning of opposition” since the 1960s (Kirchheimer 1957). Formal democratic institutions become hollow without a choice of different policy programmes at election times. Party programmes of so called “catch-all” (Kirchheimer 1966) or “cartel parties” (Katz and Mair 2009) converge towards the median voter so that they offer rather similar party programmes to the electorate. One reason is seen in EU integration that forces national governments towards convergence across borders. Once competences have been delegated to the EU level, it is difficult to reverse this development. The four freedoms of the internal market, for example, have become quasi-constitutionalized and are removed from political competition. A new government cannot fundamentally change course after taking over office (Neunreither 1998, Mair 2007).<sup>25</sup> This reduced scope of policy alternatives affects the role of national parliaments in the EU member states. Policy areas under EU competence are removed from national parliaments’ direct influence. National parliaments have therefore been termed the “losers” of EU integration (Norton 1996, Maurer and Wessels 2001, Weiler et al. 2007). Other authors argue that legislatures “fight back” through active scrutiny ex-ante to decision-making at EU level (Auel et al. 2015a).

This thesis contributes to the literature on the role of national parliaments and their opposition parties in EU democracy. It is interested in the political dynamics that inspire active parliamentary control over EU issues. The study investigates in how far domestic parliamentary opposition challenges the government on its EU-related activities. The study aims at answering the research question: Which party political factors explain opposition party groups’ EU scrutiny activities in national parliaments? With the empirical analysis of opposition activities on EU affairs, it tests the assumptions on “de-parliamentarization” and “the waning of opposition”. Both have been convincingly argued from a theoretical standpoint, but experienced limited empirical testing (Raunio 2009, Andeweg 2013, Auel et al. 2015a, Loxbo and Sjölin 2016).

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<sup>25</sup> “Brexit” demonstrates the difficulties of reversing the integration of a member state into the EU.

This Chapter 2 develops the conceptual approach on domestic parliamentary opposition to EU affairs. The focus is on the scope of activities within the formal institution of legislature. Thus, it excludes opposition parties' activities outside of parliament and other oppositional actors such as protest movements from analysis.<sup>26</sup> The study follows the logic of legislative research that considers party strategies within the legislature to explain parliamentary scrutiny (Martin and Vanberg 2004, Finke and Dannwolf 2013, Finke and Herbel 2015). Studies on domestic parliamentary opposition on EU affairs are limited and addressed institutional aspects only (Holzhacker 2002, Holzhacker 2005). To develop a model on domestic opposition on EU affairs, this thesis turns to research on opposition parties with an actor-centred perspective.

Early studies on the role of opposition date back to the 1960s (Dahl 1965, Sartori 1966, Ionescu and Madariaga 1968, Steffani 1968). The research field is still criticized by a lack of a coherent theory of opposition that would explain the types and nature of opposition across political systems around the world (Blondel 1997, Helms 2008b, Brack and Weinblum 2011). The most important comparative studies date back to the 1970s to 1990 (Schapiro 1972, Dahl 1973, Norton 1990). Studies on opposition parties have explored the impact of institutional factors on the room of manoeuvre (Dahl 1966, Oberreuter 1975, Blondel 1997, Helms 1997, 2002, 2008a). It is considered a central element in explaining the role of opposition whether the political system is geared towards conflict or compromise among rivalling actors (Lijphart 2012).

In the study of opposition, actor-centred perspectives are rare. Most research is focussed on institutional conditions for the forms and functions of opposition. Only variation below the institutional level can explain within country variation (see Helms 2008b, Norton 2008, Brack and Weinblum 2011, Andeweg 2013). A few recent studies have taken up this criticism and investigated within country variation with actor-centred explanatory factors (de Giorgi 2007, Kaiser 2008, Steinack 2011, Andeweg 2013, Moury and de Giorgi 2015). The actor-centred studies point out that the differentiation of conflictive or cooperative behaviour also appears as qualifying marker of oppositions' roles and strategies (de Giorgi 2015, Moury and de Giorgi 2015, Christiansen and Seeberg 2016, Loxbo and Sjölin 2016).

The divide of conflict and cooperation is firmly established in research on institutional and behavioural aspects of opposition. The centrepiece of this theoretical chapter links to this

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<sup>26</sup> For better readability of the text, I use the terms "opposition" and "opposition party" in the sense of "opposition party group", thus, a group of MPs belonging to a party in opposition who hold a parliamentary seat.

body of literature and conceptualizes the oppositional strategies of cooperation and competition in EU affairs (Chapter 2.2). The reactive nature of opposition – already implied in the etymology of the word (*lat*: *opponere*: stand against something or someone) – allows to either challenge the government in view of long-term re-election benefits or to cooperate to advance short-term policy goals. While most studies focus on specific activities at either committee or plenary level, this thesis conceptualizes a model covering the committee and plenary stage. Cooperation and competition are linked to the procedural structures in parliament to assess the temporal aspect of the two strategies (2.2.3).

This study assesses independent variables that explain variation in the level of competitiveness among opposition party groups (Chapter 2.3). The chapter integrates research on challenger parties and on positional competition among party groups to the study of opposition. These two bodies of literature can be linked to typologies of opposition classics (Dahl 1966, Sartori 1966, Blondel 1997). It provides a sound base for hypothesizing domestic opposition to EU affairs. The first expectation is derived from theories on anti-establishment parties. Anti-establishment parties are expected to pursue more outright and intense competition with the governing party(s). The second expectation borrows from research on positional and issue competition of party groups (Blondel 1997, Green-Pedersen 2010). The stronger the positional difference of an opposition party group and the government, the more competitive it should be.

The contribution of this study is two-fold, as it integrates two bodies of literature to research on national parliaments and EU affairs: that on parliaments and EU with research on opposition and party competition. In view of national parliaments and the EU, this study mainly intends to arrive at a better understanding on parliamentary EU scrutiny activities (Raunio 2009, Rozenberg and Hefftlar 2015). It opens the “black box” of the institution of parliament to analyse the drivers of oppositional actors.

Chapter 2.1 defines the ontological background of rational choice institutionalism for this study. The second part of this Chapter 2.2 develops the model on competition and cooperation by parliamentary opposition actors. Chapter 2.3 assesses the independent variables and argues for two key explanatory factors (party type and positional distance). The final Chapter 2.4 summarizes and concludes.

## **2.1. Rational choice neo-institutionalism**

This Chapter 2.1 develops the theoretical background that leads to a model of opposition to EU affairs in national parliaments. It starts out from the ontological background of neo-institutionalism, lays out three schools within this theory (2.1.1) and argues for a “thick” version of rational choice as appropriate for this thesis (2.1.2).

### ***2.1.1. Neo-institutionalism***

With their seminal article “The New Institutionalism: Organizational Factors in Political Life” March and Olsen (1984b) heralded the “institutionalist turn” in political science. The basic assumption that “institutions matter” – that they affect political actions and outcomes – has by now become mainstream (Hall and Taylor 1996, Aspinwall and Schneider 2000: 3). The new institutionalism evolved in critique of political science theory of the 1960s and 1970s. Political science had built on concepts of sociology and economics focusing on behavioural aspects of the individual while largely ignoring the social embeddedness – the “glue” – connecting single actors to society (Shepsle 1989: 134, Hall and Taylor 1996). The new institutionalism integrates ideas from earlier works in political science that can be labelled as “old” institutionalism with the behavioural approaches of the 1960s and 1970s (March and Olsen 1984a: 738, Shepsle 1989: 132). In consequence, institutions are understood to form a “corridor” that limits and structures the scope of action of individuals motivated by norms, values or self-interest (see North 1990). Both, the institutional framework and motives of political actors are relevant to explain an outcome.

Following Hall (1986: 19) institutions are here defined as “the formal rules, compliance procedures and standard operating practices that structure the relationship between individuals in various units of the polity and economy”. Thus, they can be of formal or informal nature (see also Shepsle 2006: 27-32). Formal institutions in form of structure or procedures are defined at constitutional level, in secondary legislation or rules of procedure. In terms of structure, the type of government, the power of the legislature vis-à-vis the government or the organization of the committee system in parliament are examples of important formal institutional features. The procedural aspect of institutions can be manifest in agenda setting rights or the process of voting in committee and plenary. The procedural setup has an important effect on actors’ strategies and future decision outcomes, as it determines the sequence of events. Institutions as informal rules (termed “standard operating practices” in Hall’s definition above) are more difficult to grasp from a scientific

perspective, but not less relevant in their impact on the process and outcome. The predominance of consensual decision-making in the Council of the EU, despite the formal possibility of qualified majority voting, provides a good example of the practical and theoretical relevance of an informal rule (Aspinwall and Schneider 2000: 4, Hayes-Renshaw and Wallace 2006).

The literature distinguishes three schools of neo-institutionalist theory, which are termed historical, sociological and rational choice (Hall and Taylor 1996, Aspinwall and Schneider 2000). While all three schools share the basic premises explained above, they vary in their assumptions on the motivations of human behaviour and in their research objective.

Historical institutionalism intends to explain institutional change or continuity over time (for an overview see Steinmo and Thelen 2002). Often inspired by functionalism, a core concept is path-dependency in that once established institutions shape future procedures and structures in a political system (see Pierson 2000). In this case institutions appear as the dependent variable whose structure is to be explained. In historical neo-institutionalism, either self-interest or rule following may be conceptualized as the driving force of human action. Its key characteristic is the relevance of temporality as the name “historical” indicates. This branch of neo-institutionalism does not appear as an adequate theoretical base for this study, as institutional change is not the key interest. In this thesis, institutions serve primarily as independent variables. They are potential explanatory factors for the level of activity of opposition parties.

Sociological neo-institutionalism defines institutions very broadly encompassing not only formal and informal rules but also cultural aspects that shape human behaviour. Individuals are understood as social beings whose actions are largely determined by the “logic of appropriateness” (March and Olsen 1984b). Rule following to formal and informal institutions is motivated by living up to social expectations. While the historical approach looks at the evolution of institutions, sociological neo-institutionalist studies often investigate the opposite dimension of explaining how institutions shape norms and identities of actors (see for example Powell and DiMaggio 1991). The constructivist school is further interested in how ideas, beliefs and values shape actors’ goals or interests. Ideas are considered explanatory factors for actors’ beliefs and for social outcomes (Woll and Jacquot 2010, Saurugger 2013).

The rational choice variant, in contrast, assumes individual utility maximization as motivation for action (see for example Riker 1980). Rational choice institutionalism searches to explain outcomes “in terms of individual goal-seeking under constraints” (Snidal 2002: 74). It is characterized by three assumptions. First, the approach chooses individuals as basic units whose activities are aggregated to explain social outcomes (methodological individualism). Second, choice theory assumes individual actors to maximize utility. With this “logic of consequentialism” it differs from constructivist and sociological approaches who embrace the “logic of appropriateness” and deliberative approaches who argue for the relevance of a “logic of arguing” in decision-making (Pollack 2006: 32). Third, actors’ choices are limited by their strategic context. Formal or informal rules define clear “corridors” of potential actions (Frieden 1999, Auel and Christiansen 2015). In the rational choice conception, individual actors are more independent from the institutional context and inter-changeable than in the sociological school. Formal and informal rules are simply conceptualized as the “rules of the game” (North 1990: 3). They define the opportunity structure for political actors and affect their strategies. The impact of institutions on norms and identities does not form part of analysis. Institutions can serve as dependent variables whose evolution is explained by the search of rational actors to promote their self-interests (see for example Moravcsik 1998). More often actors’ strategic behaviour within a fixed institutional setup serves to explain a political outcome (see Peters 2000: 13, Weingast 2002, Shepsle 2006: 24-25).

This study chooses the rational choice version of neo-institutionalism as its ontological background. Its simple action-logic appears most adequate for a first attempt to explain opposition parties’ EU scrutiny activities. The focus on utility maximization deems most appropriate for “opening the black box” of parliament. It allows me to focus on very clear assumptions on opposition activity on EU affairs at national level. Since research on opposition parties’ scrutiny of EU issues is very limited so far, this study aims at identifying basic mechanisms of opposition MPs motivation to engage in EU scrutiny in a parsimonious model.

This thesis does not intend to explain change at institutional level. Institutions appear as the fixed structures that provide a scope for potential action (Auel and Christiansen 2015). The aim is to explain MPs EU scrutiny activities within these predefined structures. The institutional setting at two levels forms a relevant contextual factor: at the European and the



national level. Whereas the EU formal rules are coherent for all member states, national rules can be alternative explanations for explaining variation among opposition parties.

So far this Chapter 2.1 has argued for rational choice neo-institutionalism in opposition to the sociological and historical versions of this theory. The next Section 2.1.2 develops the assumptions of the rational choice school in more detail.

### ***2.1.2. A “thick” understanding of rational choice***

The rational choice paradigm has been an important feature in political science in the past five decades. The concept was transferred from classical neo-economic theory to political science (Aspinwall and Schneider 2000: 10). At its core stands the assumption that individuals act efficiently to maximize their utility. The aim of this theoretical school is to explain developments at the macro level through parsimonious assumptions at individual level. Early proponents of rational choice argued against the correlational assumptions on two variables at macro level that do not specify causal mechanisms. The methodological individualism enables to link several macro level variables through precise assumptions of individual actors' choices (Coleman 1990: 1–26). Despite its success, the rational choice approach is often discussed critically for its over-simplistic assumptions on human nature (see for example Simon 1979). This Section 2.1.2 defines the basic assumptions of this meta-theoretical framework. It reflects and accommodates the criticism from constructivists in a “thicker” version of rational choice.

The core of the rational choice paradigm is the definition of a clear “action mechanism” at individual level. An actor is understood to hold fixed preferences that may be derived from his structural position (exogenous preferences). Within a certain context the actor identifies different political outcomes assuming he has complete information on the setting and on other actors preferences. He orders these potential outcomes in relation to his preferences (ends) and develops a strategy (means) of how to best achieve the favoured outcome (Frieden 1999). Thus, rationality is defined as a cost-benefit calculation with an economic or political purpose where an individual maximizes output while minimizing input (Downs 1957: 5). These assumptions can be reduced to a simple mathematical formula since interests are predefined and subjective factors based on norms, beliefs or values are excluded from analysis. The approach gains its strength through this theoretical parsimony.

The narrowly defined rational choice approach has been criticized heavily for the lack of realism on the complexity of decision-making and the cognitive capability of human beings. It has been argued that real humans lack the cognitive capacity to understand and rank all their options before a decision. The Nobel Prize laureates Kahnemann and Tversky argue for “bounded rationality” (see Kahnemann et al. 1982, Simon 1982, Kahnemann 2003). Facing limited cognitive means and resources, especially in form of information access, decision-making does not always follow the search for the optimal solution. Actors would aim for “satisficing” (a neologism based on the terms “satisfactory” and “suffice”), instead of optimizing. The authors identify a number of heuristics that allow actors for simple and quick decision-making (Kahnemann et al. 1982).

Scholars of rational choice do not negate that real world persons have complex personalities and follow emotional needs, norms and values. Tsebelis (1990: 40) explains that the paradigm does not assume individuals would use the mathematical formulas of formal models of rational choice in their decision-making process, but that they arrive at the same outcome (see also Downs 1957: 6–7). Jones (2003) and Hedström and Swedberg (1996: 129) argue that the rational choice assumptions describe an ideal type. Though a concrete person might deviate from rational decision-making, the assumption should hold true for an ideal-typical person in an ideal typical situation. Other aspects are excluded from theory building in order to develop parsimonious models. This study maintains the focus on individual goal-seeking as central driving force of actors.

The exact properties of rationality have been a point of contention in the debate on rational choice. Max Weber distinguishes instrumental (*Zweck-*) and substantive rationality (*Wertrationalität*) (cited after Kalberg 1980). Rationality in the instrumental sense is a goal-oriented means-end calculation. The concept of instrumental rationality is limited to an actor’s ability to evaluate and rank cause-effect relationship to achieve a purpose. It does not say anything about the quality of that purpose. Substantive rationality, on the other hand, concerns a value-oriented evaluation of the choice at hand. Here normative questions, such as moral or social desirability, come into play. There are two versions of rational choice, which differ in how they relate to these two versions of rationality of Weber.

In a “thin” version of rational choice, actors aim for self-interest maximization (Tsebelis 1990). In the economic domain, utility is defined as maximization of wealth and material well-being; for the political realm, the single driver of rational actors is the search for power (Riker 1962, Woll 2008). This simple assumption of the driver of human action has

the advantage of clarity and parsimony. For formal modelling, the single goal of self-interest maximization is important as it translates well to mathematical formulas.

A second “thick” version of rational choice defines rationality more openly as “logically consistent” behaviour (Elster 2016 (1983): 11). If actors were to behave haphazard it would not be possible to develop any clear theoretical assumption with individuals as basic units. In the “thick” conception of rational choice, the goals may contain aspects of both forms of Weber’s definition of rationality: instrumental and substantive. In this it addresses the critique of scholars of psychology towards the strict assumption of self-interest maximization. Their laboratory experiments at times display altruistic or irrational behaviour falsifying the paradigm of material utility maximization (see for example Simon 1979).

The “thick” version of rational choice partially accommodates the criticism voiced by constructivist and sociological scholars towards rational choice. Constructivism criticizes the “blind spot” of rational choice in view of norms, beliefs and ideas for explanation of social outcomes. If the definition of rationality is limited to “logically consistent behaviour”, it can, however, accommodate values and norms as abstract goals of an individual actor. In this it is close to the actor-centred constructivism, which searches for a bridge between rationalistic and sociological approaches (Woll and Jacquot 2010, Saurugger 2013). The actor-centred constructivism adapts to the methodological individualism and goal-oriented behaviour of rational choice; some authors argue for a “constructed rationality” (Woll and Jacquot 2010) or “strategic constructivism” (Jabko 2006). They differ from rational choice in the understanding of the role of ideas for the definition of actors’ interests. For constructivists, the formation of preferences needs to be explained (endogenous preferences).

The definition of the origin of interests forms the thin line between the “thick” version of rational choice and actor-centred “strategic” constructivism. In rational choice, preferences are conceptualized as exogenous, that is they are predefined and derived from the structural position of an actor. Blyth (2003) argues that the attempts of rational choice scholars to integrate the role of ideas in shaping interests have failed:

“Yet if acquiring a new idea means changing one’s conception of self-interest rather than just reordering one’s preferences, and if different agents can hold different mental models regardless of the similarities of their structural positions, then the hard core of rationalist theory comes up for grabs.” (Blyth 2003: 697).

On the other hand, the actor-centred constructivism still faces serious methodological challenges. The mutual consistency of ideas and interests can hardly be distinguished methodologically. How can we know whether the formulation of an idea influences an actors interest or is merely used strategically for advancing the own interest (Saurugger 2013)?

This study builds on the “thick” version of rational choice, where individuals are understood to act logically consistent by following cost-benefit analysis of options that lead to a goal. Where rational choice is used for formal modelling, assumptions need to be very strict so that they can be transformed to mathematical formulas. For this more qualitative study, it is not necessary to integrate the very limited and determined assumptions of the narrow rational choice approach. The “thick” version of rational choice can further accommodate the possibility of incomplete information. Rational choice studies usually start out from the assumption of complete information of actors about the potential and limits of their action. The assumption on complete information delimits the validity of rational choice based theories, the more the institutional context at stake differs from a perfectly competitive market (Ostrom 1991: 241). Uncertainty over the outcome of own actions and the lack of complete information are conditions that challenge the rationality of actors and alter the logic of the strategic inter-action (see also Downs 1957: 82–95). Where information is incomplete, it is difficult for an actor to rank options in a clear hierarchy. Upon new information the priorities may change. Real life actors are often confronted with uncertainty. They need to decide at what point they have sufficient information, as acquiring information can be costly. In consequence, rational actors might not always search for the *optimal*, but for *a way* to achieve their purpose (Elster 2016 (1983): 3). Institutions matter as constraints for the strategic choices available for achieving a predefined interest. The “thick” version of rational choice acknowledges “ideas” as strategic instruments that may be used to enhance the own goals. Yet, it excludes the role of ideas in the construction of actors’ interests from analysis.

This study builds on the “thick” version of rational choice as its theoretical background. It accounts for multiple competing goals of actors who behave “logically consistent” in a world that is at times characterized by uncertainty.

As a paradigm, rational choice depicts a certain concept of human nature and a general starting point of research. It is not a theory (see Ostrom 1991: 234, Note 001, Eriksson 2011: 8). Only the link to the context and the hypotheses derived from this ontological

perspective can be tested in empirical research. These are falsifiable, not the paradigm itself (Pollack 2006: 33). The rational choice paradigm is in essence (just) an “action mechanism” that links preferences and opportunities to a choice of action (Hedström and Swedberg 1996: 129). The explanation for actors’ choices through rational intention can be applied to practically any situation. Hedström and Swedberg (1996: 132) argue with Karl Popper for a situational analysis, “individual’s actions should be explained with reference to the logic of the situation in which they occur”. The rational choice paradigm is therefore paired with neo-institutionalism in this thesis that provides the structure for the situational analysis. To account for this demand, the following Chapter 2.2 develops a model of opposition party strategy by taking into account the strategic context of actors.

## **2.2. Developing a model on opposition to EU affairs in national parliaments**

This section conceptualizes strategies of opposition for parliamentary EU scrutiny. The overall aim of this study is to understand what political factors drive opposition’s EU scrutiny activities. This Chapter 2.2 first identifies the goals of parties as rational actors independent of their status as governing or opposition party (2.2.1). Once the goal of the actor is defined clearly, the analysis can turn to the potential means to achieve them. In view of the reactive nature of opposition, the chapter develops two strategies: competition and cooperation (2.2.2). Section 2.2.3 contextualizes these strategies within the parliamentary formal structures to develop a model of opposition to EU affairs in national parliaments.

When theorizing about opposition parties’ motivation, my focus is largely on the domestic context and less about the EU multi-level logic. Some studies aim at explaining the interactions among the different levels of the EU multi-level parliamentary field (Proksch and Slapin 2010, Finke 2014). For this thesis, the focus is on the motivation of opposition parties for EU affairs due to the political dynamic *at domestic level*. Checkel (2006: 68) makes a strong case for integrating the domestic level to analysis of EU decision-making. Many classic EU integration theories neglected the role of domestic politics. The EU context is relevant for the definition of the opportunity structures for opposition MPs. National parliaments can become involved in the ex-ante or ex-post stage to EU decision-making. Yet, at both points in time, the domestic rules define the scope of influence for

opposition. Furthermore, parties first and foremost address a domestic audience and depend on re-election by their national electorate, where they compete with other national parties (Hix 2008). In so far, I assume that the predominant driving force – also for EU scrutiny – has to be derived from party competition at domestic level.

### ***2.2.1. Party preferences: Policy and office***

The methodological individualism of the rational choice paradigm presents a certain challenge to the study of parties. Strictly speaking rational choice derives actors' motives from the individual level (Schumpeter 1908: 88-98). Most models on party competition, however, treat parties as unitary actors as though they had a "single brain" (Benoit and Laver 2006: 41). This study follows the logic of Downs (1957) who defines parties as teams of individual actors who hold the same preferences. While the individual preferences are conceptually still at the core, their alignment allows defining party groups as unit of analysis.<sup>27</sup>

Within the rational choice approach, the preferences of parties are a point of contention. In the strict sense of rational choice, political actors are motivated by their own utility maximization in terms of prestige, income and power that office provides for them (Downs 1957). In the "thin" understanding of rational choice self-interest in form of maximizing power is the single goal of parties (Riker 1962, Woll 2008). Often vote maximization is considered the key interest of parties. Yet, votes are always instrumental for access to the political forum and influence on policy or power. Budge and Laver (1986) consider the intrinsic motivation for policy a rational choice goal of party members. Other scholars argue for a *self-less* interest in the public good motivating political actors (Burke 1790: 213).

This study focuses on two central goals of parties: policy and power. I do not include vote-seeking as an independent third preference. Winning votes is the first necessary requirement for any form of participation of a party in the political life. The regular repetition of elections requires politicians to keep re-election constantly on their mind (see Downs 1957). However, vote seeking can barely be an end in itself; much more it is instrumental for winning office or implementing policy (Müller and Strom 1999: 9). Office- and policy-seeking are clearly distinguishable and well established in the rational

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<sup>27</sup> This is a conscious simplification of reality. Party group members *de facto* hold many divergent and conflicting views.

choice literature. They need to be treated separately, because they can be in conflict with each other. A party group can be confronted with the choice to enter a coalition government for which it needs to compromise on some of its policy contents (Müller and Strom 1999: 7).

The relationship between policy and office is tricky. Policy could be a means to achieve power or vice-versa power could be instrumental to realize a policy agenda. In the “thin” understanding of rational choice the willingness to design policy is instrumental to gaining votes and office (Downs 1957, see also Budge and Laver 1986: 494-497). Policy, in economic theories of democracy, is considered the “product” that political parties offer to their electorates. Rational voters elect the party, which offers policy positions closest to their material benefit and presents the ability to implement them. In this line of thinking, policy is a means to achieve re-election and incumbency. At the other extreme, power could be instrumental to implement policy. Where policy is defined as altruistic goal motivated by a certain worldview of a “good” society, a party would still strive for power. However, power would be a means to an end.

This study does not intend to find an answer to this “hen-and-egg” question. For a formal rational choice model, it is preferable to define one single goal to an actor (see 2.1.2). As this study is built on a “thick” understanding of rationality, it may conceptualize several competing preferences. In this, I follow Müller and Strøm (1999) who discuss the “hard-choices” of parties when prioritizing one or the other goal. Both goals are acknowledged to play a role side by side.

The preferences of party in parliament can be further specified through the representative function of its members. Shepsle (1985) argues that the goal of parliamentarians is to maximize the interests of their constituency. He defines constituency broadly as either the direct electorate or other groups of supporters of an MP. The legislator will try to maximize the benefits of her own constituency in a specific policy decision. In the rational choice terminology, the MP appears as the “agent” of her voters or supporters who are the “principal” (Laver and Shepsle 1999). Control over the agent occurs foremost at election times where voters may select or sanction their representative. This study is however interested in the inter-electoral period. The continuous monitoring of political representatives forms the link between elections and the legislative processes. Parties argue for their policy positions in public debate and justify their actions towards the constituencies. This representative logic links to the two party preferences of policy and

office. Representing the interests of the constituency advances the own re-election chances. When the voters or supporters are satisfied with the work of their MP, they are more likely to support him in the future again. Votes translate to access to power and potential policy influence. The principle agent approach emphasizes the relevance of communication in parliament (Auel 2007). Communicative action is a strategic tool to achieve the own preferences of policy and office.<sup>28</sup>

If all parties share the same goals, how can we explain differences in party programmes? The answer differs depending on whether policy or power is considered a strategic means or genuine preference. Ideology plays a central role for both arguments about programmatic parties. Ideology can be defined as “logically coherent system of symbols” (Mullins 1974: 235) or beliefs held by a group. Thus, it is mainly understood as a coherent party programme at abstract level. It serves to justify political actions, which can be motivated by long-term self-interest of a social group or abstract self-less goals (Gerring 1997). An ideology gives a general idea of the policy positions a party will defend in concrete situations.

Where ideology is assumed to be self-interested, a party programme reflects the material or political interests of the social group, which could be derived from its relative position or potential disadvantages in the overall structure. If policy was the ultimate goal of a party, we can assume a party was established to propagate and implement the ideological convictions of its members. The party programmes vary in relation to the available worldviews and number of their supporters.

In the “thin” version of rational choice where power is the single preference, the strategic context explains the various policy programmes. According to spatial theory different policy positions of parties stem from the heterogeneity of society (Downs 1957, Budge 1994). Parties appeal to different social groups within a state (e.g. capital versus labour) and need to differ sufficiently from other opponents in order to attract voters (Downs 1957: 101). Parties rely on ideology as a “label” under which voters can easily understand their “product”. Assuming that acquiring knowledge on a party’s programme and activities is costly for the voters in terms of time and resources, ideology is an instrument to reduce complexity (Budge 1994: 446). A coherent ideology that differs sufficiently from other

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<sup>28</sup> In contrast to social constructivism, language is not analysed in terms of their influence on the perception or “construction” of reality. It is merely one of several strategic tools to gain power or policy influence.



parties and its continuous implementation are in this sense rational for parties. In the “thin” version of rational choice policy (or ideology) serves as a means for power.

Again, for this study the motivation behind the two preferences of policy and office and their relationship to each other does not need to be specified. Both, policy and office, can explain differences in party programmes and ideological premises. What matters here are the strategies that parties employ in order to reach these goals. The following Section 2.2.2 develops two key strategies of opposition parties in the parliamentary arena.

### ***2.2.2. Opposition parties’ strategies: Competition or cooperation***

So far the theoretical expectations apply to party groups irrespective of their status as governing or opposition party. This Section 2.2.2 conceptualizes the strategic context of opposition parties in abstract terms. As explained above, the rational choice paradigm itself only describes an action-logic at individual level (2.1.2). Testable theoretical assumptions have to be derived from the context, the “rules of the game” of rational actors (North 1990: 3). The aim of this section is to identify strategies of opposition to achieve their goals of policy or office in context of their structural position.

A strategy forms a bridge between the abstract goals of policy- or office-seeking and specific policy positions and parliamentary activities. It allows translating the goals into observable behaviour. Strategy is defined as success-oriented construct of an overarching calculation, which considers the means that advance a goal in a certain environment (Raschke and Tils 2013: 127). A construct is further specified as a guiding principle for action. Thus, strategies are guiding principles for action that are based on a calculation of which means most efficiently lead to a goal in a certain context. Preferences of opposition parties have been defined as participation in government and policy influence (see 2.2.1).

The definition of opposition in a political system delivers the basic elements of the strategic context. In his seminal work, Dahl (1966: xviii) defines opposition in its broadest sense as: “B is opposed to the conduct of government by A”.<sup>29</sup> Some authors argue for a very broad understanding of “opposition” that includes all types of actors and activities in- and outside of parliament (Schapiro 1972: 3, Blondel 1997: 466, Brack and Weinblum 2009: 74). Oberreuter (1975: 10) on the other hand sees the danger of conceptual over-stretch of such

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<sup>29</sup> Similar definitions are brought forward by Norton (2008: 236): “[...] standing in some form of disagreement to another body.” and Ionescu (1968: 1) “[...] logically and morphologically [...], the dialectic counterpart of power.”

a catch-all definition. This study focuses on opposition party groups. That is, parties in parliament who oppose – or at least do not form part of – the governing party(s) and continuously and systematically participate in the political process (see Oberreuter 1975: 13). Two conclusions resolve from this definition of opposition.

First, the situation of opposition party groups is characterized by its participation in a formal representative body. Opposition MPs have access to the institution of parliament, its resources and debating forums within committee and plenary. As they are not in power, access to government is limited and they do not hold veto power in the legislative process.

Second, opposition is a dependent concept in so far as opposition cannot be without government, which it counter-acts (Blondel 1997: 463). Opposition is understood as a reactive force, as most of its actions relate to the agenda and activities of the government (Helms 2010: 233, see also Blondel 1997: 463). In parliamentary democracies, government largely determines the legislative agenda. The governing party groups hold veto power over legislative proposals from the government (Auel and Benz 2005). Opposition party groups do not have this “power of the vote”. They can voice own positions in relation to the government’s agenda. This basic logic leads to the key strategies at avail to opposition parties. Either they voice critique of the government position in the strategy of competition. Or they can search to influence the government proposal and partially realize their own policy ideals in the strategy of cooperation. A range of studies has investigated opposition parties or parliament in view of conflictive or cooperative inter-action patterns among governing and opposition parties (Steffani 1968, Oberreuter 1975, Blondel 1997, Helms 1997, 2010, de Giorgi 2015, Moury and de Giorgi 2015, Christiansen and Seeberg 2016).

The re-active nature of opposition party groups does not preclude that they can hold some agenda power. Döring (2001) classifies political systems by the extent of the influence of parties in minority on the parliamentary agenda. Especially, consensus democracies provide some institutionalized means of agenda-setting power for parties in minority. In all countries, oppositional actors can attempt to influence public debate outside of parliament, e.g. in direct contact to the media. The two broad strategies of competition and cooperation with the government still apply despite limited agenda power. The re-actions are complemented by competition over the agenda.

The strategies of cooperation and competition are both forms of *interaction* between governing and opposition parties. They derive from or result in the *status* of consensus or

conflict (see Helms 1997: 48). The terms cooperation and consensus, or competition and conflict respectively, cannot be used interchangeably. Conflict and consensus capture the “snapshot” picture of diverging or coinciding party positions. Competition and cooperation are dynamic processes. If parties treat an issue consensually, there is no need to negotiate compromise or to escalate a conflict. Both strategies of cooperation and competition start out from the status quo ante of conflict among different parties.

### ***2.2.3. A model of opposition in national parliaments***

Section 2.2.2 derived competition and cooperation as two key strategies for opposition from its structural position as minority. This Section 2.2.3 extends the considerations on the strategic context to the parliamentary arena and EU affairs. What form do cooperation and competition take within the parliamentary setting? And how can we account of the temporal dimension of the two strategies throughout the legislative process? This chapter develops a model of opposition parties’ EU scrutiny activities. It is difficult to define a simple model for the EU scrutiny procedure in national parliaments. Legislatures differ in their procedural processes significantly, which makes it difficult to find a “one size fits all” definition that still has sufficient explanatory power. The following model reduces the complex parliamentary procedures to a two-step model of committee and plenary involvement.

All parliaments in the EU operate to some extent through their committee system (Laundy 1989). Committees consist of a limited number of legislators, which are responsible for preparing the parliamentary decision-making within a specific policy area. Committees allow parliaments a division of labour where MPs develop expertise on their area of responsibility. Committees are often understood to enable a more fact-oriented debate and to do the detailed work of legislative scrutiny (Strøm and Mattson 1995). One or several committees may be involved in preparing the parliamentary position or decision for the plenary.

The plenary is usually the body that takes the final vote on draft legislation and other motions. The plenary may debate the issue at stake or accept the committee recommendation without a debate. Some parliaments involve the plenary even before a policy issue is assigned to a committee. For complex or contested matters, parliament may hold several readings at the plenary on a legislative draft. However, the basic logic of plenary assigning the detailed legislative scrutiny work to a committee, which prepares the

final decision, is valid, even if plenary debated before the committee stage or is involved several times.

Even this simple model of parliamentary procedures does not apply in all legislatures and all cases. In some parliaments, the European Affairs Committee has the special right of voting in place of the plenary. The plenary does not get involved in the scrutiny of day-to-day EU policymaking in this case. All parliaments have some form of involvement of the plenary on EU affairs, even if some only focus on high politics issues (Wessels et al. 2013, Auel and Raunio 2014). The precise conditions for the strategy of competition or cooperation needs to be defined for each member state individually. However, the procedural logic of the negotiation process, which is represented by this model holds true in abstract form.

Section 1.1.1 of the introduction to this thesis has discussed the modes of governance of the EU and the two functions of national parliaments therein: control over policymaking and over the allocation of competences to EU and national level. Both functions can be conceptualized by the two-step process of committee and plenary involvement within parliament. Parliamentary decision-making with different instruments usually involves a committee stage and a plenary stage. This basic two-step logic is applicable to ex-ante as well as ex-post EU scrutiny activities as well as the Early Warning Mechanism and simplified treaty ratification (see Section 1.1.1). These different channels of influences, however, produce different kinds of output: In the phase prior to (European) Council meetings national parliaments may issue resolutions or mandates. In the ex-post stage parliament transposes directives to national legislation. Within the EWS, they produce reasoned opinions. In general, the committee stage is understood as more fact-oriented, legislative scrutiny work and the plenary as public justification of these results.

The two stages of committee and plenary involvement are sufficient to grasp a temporal aspect, which matters to specify the strategy of competition and cooperation in the parliamentary context. The decision-making process may – especially on EU affairs – take month or even years. The strategy of competition or cooperation could be adapted over the course of time. Competition and cooperation are reiterative processes of action and reaction among party groups. The extent to which an opposition party chooses to challenge the government is in its own hands. The success of the strategy of cooperation depends on the reaction of the governing parties (Louwerse et al. 2016). Cooperation and competition can be adapted throughout the parliamentary process. The institution of parliament is meant to

solve societal conflicts throughout its procedures. Early on opposition criticism can be accommodated by the government. Christiansen and Seebers (2016) study on the “trade-off” between public criticism and policy influence in Denmark supports this argument. Spreitzer and Timmermans (2014) show for the Low countries (Belgium, Luxembourg and the Netherlands) that conflict at committee stage can be resolved through cooperation before the issue enters the plenary.

The two strategies and two stages of parliamentary processing are integrated to a model of opposition in national parliaments (see Figure 1). The *status* of consensus and conflict is conceptualized as start and end point of the legislative process. Parties have predefined positions on a policy issue before it appears on the political and parliamentary agenda. Section 2.2.2 has defined compromise and competition as dynamic processes that start out from conflict on a policy issue (see Helms 1997: 48).

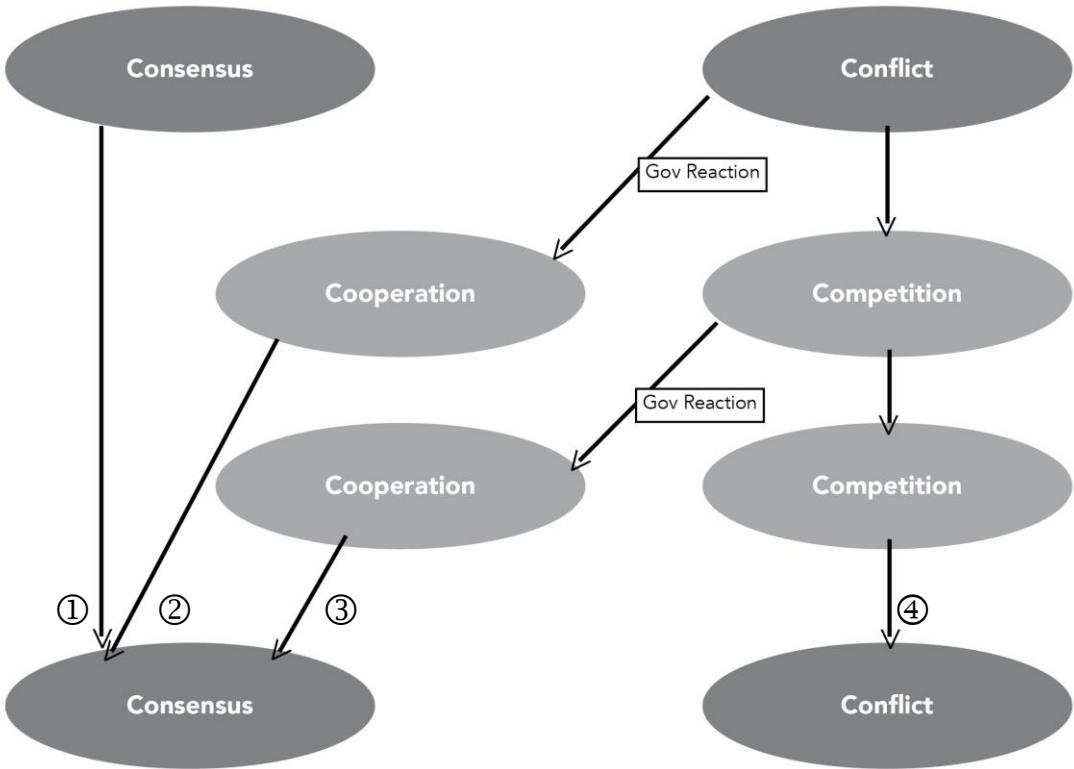


Figure 3: Model of opposition strategies in national parliaments.

The model identifies four kinds of opposition activity in the parliamentary process. First, if an issue is consensual among all party groups, it is unlikely that MPs will devote much time or attention to it in the parliamentary process. It requires neither compromise nor

competition and should be moved through the legislative process smoothly (see Figure 3, arrow 1). In this case, the legislative process is characterized by the status of consensus as its starting and end point.

The process is more complex where an issue is characterized by conflict between party groups when it enters the legislative procedure. As second approach, opposition can opt of cooperation at the committee stage (see Figure 3, arrow 2). Cooperation is associated with short-term policy influence (Russell et al. 2016: 7). By means of “co-governance” (Sebaldt 1992) an opposition party can realize parts of its policy ideas despite its non-governing status. In general, cooperation can take place behind closed doors in negotiations between the party groups before actual committee meetings (Steinack 2011: 10). Committee work is also generally seen as more fact-oriented and a space to enable pragmatic compromise than the plenary (Damgaard and Mattson 2004). If cooperation is successful before or during committee sessions, the issue will most likely pass the plenary stage without much attention or controversy. Christiansen and Seebers (2016: 3) show how public criticism can be a commodity of opposition parties which they “trade” for compromise behind closed doors. Where government provided the opportunity for cooperation with policy influence in their case study of Denmark, it reduced the public critique of the government on the respective issue. Cooperation at the committee stage will foremost be indicated by either a lack of voting on issues, as the committee arrived at consensus in its discussions (Mattson and Damgaard 2004). Or it is indicated by support in votes on government drafts, in legislatures where committee voting is common. The price of cooperation is the blurring of responsibilities between governing and opposition parties. It is difficult for opposition to remain distinguishable from the parties in power, if they support government initiatives too frequently (Moury and de Giorgi 2014: 2, Stecker 2011: 4).

Third, the opposition can use the strategy of competition at committee stage (see Figure 3, arrow 3). The strategy of competition is associated with the long-term goal of office (Steinack 2011: 10, Moury and de Giorgi 2015, Russell et al. 2016: 7). Through public criticism and other forms of conflict, opposition leaders can advertise their policy programme to the voters and hope to gain their support in future elections. The strategy of competition is characterized by challenging the government. Competition means in this context that opposition criticizes the government and proposes alternative solutions. Damgaard and Mattson (2004) consider motions by opposition at committee level an indicator for competition. Other studies use the support in opposition votes on government

proposals to operationalize cooperation (Stecker 2011, Louwse et al. 2016). Again, depending on the government reaction, competition at the committee stage could lead to compromise by the time the issue arrives in the plenary or further escalate (Spreitzer and Timmermans 2014).

This leads to the fourth approach (see Figure 3, arrow 4). The strategy of competition is carried over to the plenary stage. A critical opposition voice in plenary debates might be the most effective form of competition, as it draws public attention to the alternative view of opposition. Steinack (2011: 11) shows in her qualitative study of the Bavarian parliament that plenary debates, parliamentary questions and contact to the media (press releases) are used to compete with governing parties. Opposition has significant leverage to initiate political controversy through agenda setting in- and outside of parliament (Green-Pedersen 2010, Christiansen and Seeberg 2016). The result of the strategy of competition will be documented in the voting behaviour and criticism and alternative proposals in public debates.

This Chapter 2.2 developed an abstract model of opposition party strategies in parliament. Based on the rational choice literature Section 2.2.1 identified policy and office as preferences of parties. In the “thick” understanding of rational choice it is not necessary to specify whether policy is a strategic or genuine interest of political actors. The search for power and for policy influence is conceptualized as two competing goals side by side. Two strategies of opposition resolve from these preferences and its structural position. Parties in minority may employ competition with the government to catch the voters’ attention and enhance their re-election chances. Or they can compromise with the government to achieve short-term policy influence – most likely at the expense of office due to the blurring of responsibilities. Section 2.2.3 extended the strategic context to parliament further specifying the room of manoeuvre for opposition parties. The legislative process serves for opposition to communicate critique (strategy of competition) or negotiate compromise (strategy of cooperation). The model identifies two steps: the committee stage and the plenary stage. The strategies of opposition may vary throughout the process. The activities related to either strategy form the dependent variable of this study.

Chapter 2.3 develops assumption on the conditions under which opposition choose conflict or compromise.

### **2.3. Explaining variation among opposition party groups**

The independent variables of this study are actor-centred explanations for EU scrutiny activities of opposition parties. The study assumes exogenous preferences directed towards policy and office within the strategic context of parliament and the EU. Which characteristics of a party group can explain whether it will employ a competitive or cooperative strategy? First, this chapter reviews the potential explanations for the role of opposition in parliament (2.3.1). Second, it develops the two key hypotheses that will guide the empirical analysis of this thesis (2.3.2).

There are three dimensions on which to locate potential explanatory variables for opposition parties' behaviour: institutional factors, actor-related factors and issue-based factors (Moury and de Giorgi 2015: 4). Classic studies on opposition as well as the literature on national parliaments and the EU largely focus on institutional factors to explain differences across countries (Dahl 1966, Oberreuter 1975, Blondel 1997, Helms 1997, 2002, 2008b, Raunio 2009, Rozenberg and Hefftler 2015). Institutional and issue-based explanations are control variables in the research design of this study. This studies' research focus is on actor-centred explanations. With this emphasis, the thesis reacts to a gap that prior studies identified for research on opposition as well as legislatures. On the one hand, research on national parties and the EU argued to go beyond an analysis of formal structures (Raunio 2009, Finke and Dannwolf 2013, Rozenberg and Hefftler 2015). On the other hand, studies of opposition have asked to consider characteristics and motivation of political actors to explain opposition's role in the political system (Kaiser 2008, Steinack 2008, Brack and Weinblum 2011, Steinack 2011, Moury and de Giorgi 2015).

To do so I integrate two theoretical approaches from research on parties to explain the parliamentary behaviour. For the first hypothesis I turn to research on anti-establishment parties who should employ much more competitive strategies than mainstream parties. The second hypothesis builds on classic opposition theory and considers positional distance between governing and opposition parties to explain competition or cooperation. Based on cleavage theory it considers two dimensions of political conflict among parties: a socio-economic (left-right) and a cultural (TAN-GAL) one.



### ***2.3.1. Explanations for competition and cooperation***

This Section 2.3.1 discusses potential explanations for variation in opposition parties' EU scrutiny activities. It reviews the literature of opposition parties to identify possible independent variables. The focus is on opposition in parliament, thus, excluding opposition on the street or in other formalized structures. Research on opposition often investigates the role of opposition actors *in toto*. Authors investigate, for example, the coherence and overall influence of parties not in government (Blondel 1997). The intention of this study is to explain variation of the behaviour of single opposition party groups. Interactions among different oppositional actors are secondary.

The focus of this study is further on explaining the choice for cooperation or competition by an opposition party group. Not all attributes of opposition are relevant for the choice of one of these strategies. The strategies of conflict and cooperation address the relation of any single opposition party group and the governing party(s). The differentiation of the two strategies is well established (Steffani 1968, Oberreuter 1975, Blondel 1997, Helms 1997, 2010, de Giorgi 2015, Moury and de Giorgi 2015, Christiansen and Seeberg 2016). However, only few studies have addressed an explanation of actual parliamentary activities through the lens of conflict and cooperation (Steinack 2008, 2011, de Giorgi 2015, Moury and de Giorgi 2015).

Finally, the limitation of potential independent variables in this thesis occurs in view of their relevance for EU affairs. The multi-level system of governance challenges oppositional actors due its complexity and the necessary additional expertise on the decision-making structure as well as the political developments at EU level.

#### ***Actor-centred explanatory factors***

In line with Kaiser (2008: 37, Note 7) I consider actor-centred explanations in terms of parties' policy positions and inter-actions. The characteristics of political actors can be assessed in view of a rational choice or a constructivist perspective. This section considers the following potential independent variables: the size of an oppositional party group, its willingness to participate in government and the relative positions in the party system or towards the government. Constructivist studies have furthermore pointed to the relevance of the historical roots of a party, its party political culture and socio-demographic factors at individual level. The constructivist factors are included in this review to give a complete

overview, even though these factors are not relevant for the rational choice approach of this study (see 2.1.2).

An obvious starting point for the role of opposition could be its size in terms of seat share. The strength of an opposition party has a significant effect on its potential influence in the parliamentary arena. A larger number of MPs shows a stronger presence in committees for their party group and has more resources in terms of staff and budget. Steinack (2011: 18) argues that a larger party group is able to develop more expertise among its members and can therefore “afford” to propose more solid alternative policy proposals (see also Jenny and Müller 2008). However, size does not matter for the choice of a cooperative or competitive strategy. Steinack (2011: 18) contains that size at the same time “fail[s] to justify why the [larger] party group did not develop an equally strong pattern of competitive behaviour“. The seat share and resources of a party group could lead to a more active search for compromise *or* more intense competition with government. The number of MPs does not affect the preference for cooperation or competition and is therefore not included in the analysis.

Sartori (2005: 107-110) argues that size alone does not determine a parties’ relevance in a party system.<sup>30</sup> Much more the relative power of a party group matters in the inter-action with other parties. This can take the form of “coalition potential”: Is a party potentially necessary to form a coalition and willing to participate in government? Alternatively, the relevance can be measured by a party’s “blackmail potential”: Does it alter the logic of party competition through its presence and actions? A party’s size and its position in relation to a minimal winning coalition form pre-conditions for relevance in both cases (Dumont and Caulier 2003: 11). The main difference between coalition and blackmail potential lies in a parties’ willingness to participate in government. Sartori (2005: 109) points out that parties with blackmail potential are often those of anti-system nature. For the study of opposition, the party type is more important than the seat share itself.

The argument on the party type leads to a classic distinction of oppositional actors. Parties not in government who accept the “rules of the game” are considered “loyal opposition” (Kirchheimer 1966). “Her majesties Opposition” in the UK is the ideal type of a constitutionalized and loyal political actor. On the other extreme, a “disloyal” oppositional force criticizes the system itself and aims at disrupting the fundamental structures of a society. Sartori terms these two categories as “responsible” and “irresponsible” opposition

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<sup>30</sup> The problem only applies to party systems with more than two parties.

(Sartori 1966). Here, the link to the strategy of competition or cooperation becomes clearer. Responsible opposition is constituted by parties, which may “respond” to the task of governing in future elections (Sartori 1966: 150-153). A party with realistic future access to power will most likely formulate its policy positions more carefully and realistically than one for whom participation in government is out of reach or not of interest. Through cooperation they could demonstrate to the voter and other parties that they are responsible players in the political arena.

The differentiation of “loyal” and “disloyal” or “responsible” and “irresponsible” opposition is reflected in more recent studies on parties that challenge the establishment. A number of parties, such as Green parties or extreme right parties, have entered the political party system in the past decades by challenging the mainstream consensus. This phenomenon has been titled with a range of terms including “niche party” (Adams et al. 2006, Meguid 2008, Jensen and Spoon 2010, Meyer and Miller 2015), “challenger party” (de Vries and Hobolt 2012, Hino 2012, van de Wardt 2014), “populist party” (Mudde 2007, Kriesi 2014, Pauwels 2014), “new politics party” (Poguntke 1987) or “anti-establishment party” (Abedi 2002). Each concept uses a slightly different definition, which translates to different approaches of measurement. Yet, these concepts largely address the same political phenomenon. There is a strong overlap of the parties they include as their research objects. Schedler (1996) defines anti-establishment parties as “semi-loyal”. They accept the constitutional rules and democratic order of a state, yet, fundamentally oppose any actor of the existing political elite. The first hypothesis of this study addresses the difference between anti-establishment versus mainstream parties (see Section 2.3.2).

The second aspect of Sartori’s definition of relevant parties is their “coalition potential”. This thesis does not further address “coalition potential” as an independent category. One could operationalize coalition potential as separate factor next to blackmail potential. Coalition potential is often operationalized by prior participation in government (de Vries and Hobolt 2012). Yet, a party that has never been in government before could still aspire future office responsibilities. Bolleyer (2008a: 25) specifies government *relevance* in contrast to government *potential*. The actual relevance of a party for governing would be indicated by the *de facto* participation in government in prior legislative periods. The potential to participate in government is based on the openness by other parties towards a new party. Their acceptance of the party in opposition to be a serious player and the consideration of coalitions determines this factor. This can be a mere aspiration for the future. The argument on government potential shows how close coalition and blackmail

potential are related to each other. For this case study approach, it does not seem plausible to differentiate these two factors.

The work by Blondel (1997) forms a second starting point to discuss independent variables for cooperative or competitive parliamentary activities. He developed a typology of opposition that was intended to be applicable across countries, time and political regimes. Building on Dahl (1966), he identified two basic dimensions that characterize opposition in a country: the fragmentation of opposition (coherent or diffuse) and its political goals and strategies (close or distant to the government). The first dimension addresses the constellation of the party system, the second the individual position of opposition parties towards the government.

Dahl's (1996) second dimension of opposition's distance in terms of policy goals and strategies can be applied at actor level. Blondel (1997) acknowledges that it would be difficult to identify the policy goals of opposition parties in abstract terms. What matters though is in how far opposition's policy goals *differ* from the ones of the government. Recent research has applied this logic and investigated the role of positional differences to explain opposition parties' behaviour in parliament (de Giorgi 2015, Finke and Herbel 2015). This approach focuses on the inter-action of two groups – the governing and a single opposition group. This thesis understands the positional differences among party groups as an important explanatory factor for competition among party groups. This aspect in the relevance for conflict and cooperation is addressed Hypothesis 2 (see Section 2.3.2).

The first dimension of Blondel's typology of opposition has been taken up by more recent studies of opposition (de Giorgi 2007, Kaiser 2008, Maeda 2013). In the original concept, a strong single party in opposition exemplifies a cohesive approach. Opposition divided into two equally strong actors is less cohesive. Kaiser (2008) combines the argument on coherence with policy positions. He develops a model on the relative position of a governing party to two opposition groups in a one-dimensional policy space. If both opposition parties are either left or right from the government, they are likely to cooperate with each other. If government takes the middle position in between two oppositional actors, the opposition is less likely to join forces and less cohesive. A coherent opposition is considered stronger vis-à-vis the government. The dimension of opposition cohesiveness is useful to characterize a political system. It is less helpful for explaining variation among individual opposition parties and not further included in the analysis of this study.

A constructivist theoretical framework could accommodate further independent variables, as it emphasizes the influence of roles and informal norms. These factors are briefly reviewed here, despite the fact that they cannot be accommodated in a rational choice approach. Studies on oppositional actors have investigated the party political culture and individual level factors. Steinack (2011) has shown that the habits and culture within party groups influence their willingness to search for agreement with the government. She demonstrates that the Green party in Bavaria, a relatively young party born out of the social movements in the 1970s with a culture of openly discussing internal dissent, is much more competitive than the Social-Democratic Party. The latter is more established and more willing to compromise with the other “people’s party” in government. The aspect of a party’s history and culture will not be included in this thesis, as they exceed the rational choice framework.

With regard to individual level factors, Steinack (2011) does not find support for the relevance of socio-demographic factors. Neither did her case study on the Bavarian state parliament render prior office experience at municipal level a relevant factor. She argues that age of MPs is significant, as younger MPs would compete more. However, the argument is formulated at aggregate level of party group and not a proper individual characteristic. It goes back to the political culture and lifespan of a party group. Jenny and Müller (2008) investigate MPs role in view of either constituency focus and/or engagement in parliamentary activities (committee work, plenary speeches and questions). The statistical testing for socio-demographic factors as explanation for the different roles of MPs did not deliver significant results. The authors explain the variation in MPs roles mainly through party size. MPs from large parties are less active or focus more on constituency work as a larger number of MPs shares the overall work load in parliament (Jenny and Müller 2008). Following this line of argument, the causal link is argued in terms of resources of party groups. As argued above, the seat share of a party should not have an influence on the choice of a cooperative or competitive strategy.

The limited findings on individual level explanations for cooperation or conflict from opposition benches do not show a promising avenue for future research. Socio-demographic factors did not render significant results either in the qualitative study or in quantitative analysis. Much more, the individual level factors seem to play into party level explanations.

In view of the existing alternative explanations, I argue that the two factors of party type and positional differences should have the strongest explanatory power among actor-centred explanations. The alternative approaches will be taken into account in the discussion of the results of this study (Chapter 6).

***Control variables: Context and issue-based factors***

There are a number of factors that influence the role of cooperation and competition in parliament, which go beyond the actor-centred approach of this study. These can be located on the level of institutional or country factors or are issue-based factors. This section reviews the explanatory factors at institutional and issue-based level. However, factors on these two different levels have the role of control variables, not alternative explanations, in this study.

Classic contributions of research on opposition mainly assess the impact of institutional differences on the room of manoeuvre for opposition (Dahl 1996, Blondel 1998, Oberreuter 1975, see also Helms 1997, 2002, 2010). An early contribution of Oberreuter (1975) identified four features of a parliamentary system, which are still relevant for the role of opposition parties today: the electoral system, the party system, the rules on power sharing with minorities in parliament and the type of government. In a proportional electoral system and a party system with three or more parties, small parties have easier access to parliamentary representation, but a swing in voters is less likely to trigger a change in government. Parties are often required to coalesce to form a government. In political systems with elaborate minority protection, it is more likely that opposition parties will choose cooperative strategies.<sup>31</sup> Due to the institutional features allowing them some policy influence the incentive to cooperate with government to achieve a partial realization of their policy programme is more effective than purely competitive strategies (von Beyme 1987: 35, Helms 2010: 237).

Holzacker (2002, 2005) demonstrated that especially the type of government (minority, coalition or single party) affects the scope of influence of opposition of EU affairs. Louwse et al. (2016) confirm the relevance of the type of government for explaining the support by opposition in voting in parliament. Why should government cooperate with

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<sup>31</sup> Helms (1997, 2002) lists six criteria: 1) the initiation of bills restricted to the majority or open to single MPs or minority groups, 2) a strong committee system in the sense of a “working parliament” (see Maeda 2013, Arter 2003), 3) opposition included in the body deciding organizational matters, as the agenda of the plenary, in the distribution of committee chairs, 4) opposition parties’ ability to call for an investigation committee, 5) requirement of super-majorities for specific decisions (e.g. constitutional revisions) and 6) right to bring a government policy to constitutional court for judicial revision..

parties in minority, if it has the “power of the vote” in the house? A basic argument for the need to cooperate with opposition is the strength of government in itself. A minority government needs to constantly search for support from other parties. A government with a one-seat majority is more vulnerable than one holding a two-third majority itself. Finke and Herbel (2015: 508) demonstrate that opposition is more likely to scrutinize EU affairs where government is weak in terms of seat share. The strength of government is also dependent on whether it is a single party or coalition government. A coalition government might be more vulnerable to opposition critique, where internally divided (Martin and Vanberg 2005). Finally, occasions where qualified majorities are required, as in constitutional amendments or EU treaty ratification, put government in a position where it requires opposition support. Going beyond the aspect of governments’ vulnerability, Louwse et al. (2016) argue that cabinet ideology matters for broad majorities in parliamentary votes. A more centrist government is more willing to seek opposition support, than an ideologically extreme one.

Finally, the availability of resources influences the role of opposition (Rommetvedt 2005, Green-Pedersen 2010). As a context factor, size of the member state and the resources of parliament (in form of number of seats and budget) should matter for the role of opposition. Resources should matter especially for EU scrutiny, which requires higher expertise due to the complex EU multi-level system. I argue that resources are a pre-condition for an active role for parliament and for opposition. They do, however, not explain the choice for competition or cooperation. The better access to information or higher number of administrative staff in a large parliament could be used to either challenge the government or to influence policy through cooperation. Resources are important to explain the overall influence of parliament, but do not play a role for explaining the choice of strategy of opposition.

Another dimension of potential explanations lies in issue-based factors. I define these as factors derived from the nature of the legislative proposal. Issue-based explanations play an important role in research on interest groups (Lowi 1964, Mahoney 2007, Klüver 2013). The interest group literature discusses the role of issue salience, scope, the degree of conflict and technicality of an issue for the chance of success of lobbying activities. One could expect that similar logics could apply to parliaments who represent the interests of their voters. Issue-based explanations have some presence in legislative studies (Stecker 2011, de Ruiter 2013, Gattermann and Heffler 2015). In research of opposition activities

the role of salience and issue complexity has barely been investigated (Moury and de Giorgi 2015). The following paragraph discusses the role of issue salience and the initiator of a legislative proposal.

First, oppositions' willingness to invest their resources to EU scrutiny should be related to the overall salience or relevance of an issue (Moury and di Giorgi 2015: 4). The relevance can be indicated by the impact of a political decision on society, e.g. in terms of redistribution or identity. Salience on the other hand is measured by the attention of the public, media or parties (Warntjen 2012). Relevance and salience can coincide, but are not necessarily linked. For all party groups, salience and relevance should motivate to engage on the issue, as media presence is an important asset for re-election. Relevant and salient issues probably trigger more competitive behaviour by opposition. A decision with long-term or strongly redistributive impact would most likely be more contested as they produce clear winners and losers. This study focuses on the actor-level for the explanation of variation in opposition parties' EU scrutiny activities. However, the empirical analysis carefully points out the policy areas and issues under parliamentary review to assure transparency towards issue-based explanatory factors.

Second, literature on committee work has considered the origin of a legislative proposal for the political outcome. Damgaard and Mattson (2004: 127) find more conflictive opposition strategies in committees when the government initiates the bill compared to all other initiators (party groups, individual, committee). De Giorgi (2011: 16) confirms this finding studying the Italian chamber in a more recent time span. Unfortunately neither of the two authors specifies whether bills introduced by other actors stemmed from governing or opposition parties. It would not come as a surprise, if opposition supported its own bills more frequently than those of the government (see also Stecker 2011). The initiator of legislative drafts and motions is always indicated clearly in this study.

To sum up, this Section 2.3.1 has reviewed potential explanatory factors for competition and cooperation of opposition parties. The influence of institutional and country-level factors on the role of opposition has been researched in-depth. This study intends to go beyond this state of the art and focuses on actor-centred explanations.<sup>32</sup> Institutions cannot account for the variation among individual parties within a country (see Steinack 2011: 2). This review identified the party type (anti-establishment or regular party) and the

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<sup>32</sup> The study intends to hold institutional factors constant by case selection (see Chapter 3.2).



ideological distance of opposition to the government as the two central explanatory variables at actor level. Institutional and issue-based factors serve as control variables in this study. A careful case selection and transparent research method assures that these control variables do not confound the results of the actor-centred explanatory variables.

### ***2.3.2. Hypotheses: The party type and positional distance***

The party type and positional difference between governing and opposition parties have been identified as the two most important explanatory factors at actor-level (2.3.1). This Section 2.3.2 develops the argument on the causal link of these two attributes to cooperative or competitive opposition activities and develops two hypotheses on opposition parties' EU scrutiny activities.

This study derives its first hypothesis from classic typologies of opposition parties and recent work on parties challenging the mainstream (Kirchheimer 1966, Sartori 1966, Abedi 2002). For the purpose of this study, I am interested in the effect of party type on the extent of competition or cooperation with governing parties. Opposition research has argued for a categorization of oppositional actors according to their loyalty or responsibility towards the constitutional premises. More recent studies have investigated a party type that has been termed as "semi-loyal" (Schedler 1996). This research is inspired by the altered political competition since the 1980s. This study builds on the concept of anti-establishment parties as defined by Abedi (2002) and Schedler (1996), which is sensitive to qualitative difference of the party type. The term anti-establishment most precisely defines the attitude and strategy of this party type. In the following I review the concepts of "niche" party, populist party and challenger party to demonstrate that the concept of anti-establishment parties combines the structural and policy-oriented factors of these other approaches.

The concept of "niche" parties is based on the party groups' ideological programmes. According to Wagner (2012) "[n]iche parties are best defined as parties that compete primarily on a small number of non-economic issues." Niche parties are defined in relation to the existing party system. They differ from traditional, mainstream parties who mainly compete over economic issues (left-right axis) and offer a whole range of policy proposals to their voters. Niche parties focus on a limited range of non-economic policy issues. In this, their issues often crosscut existing policy cleavages. The concept also implies that no other party is occupying this policy "niche". Once the other parties pick up the issue promoted by the niche parties the issue becomes mainstream. The niche party loses its

unique position. A niche party does not need to be a new party; the distinctive policy position can be maintained over time, as traditional communist parties show (Wagner 2012: 849). The concept of “niche” party is based on Meguid (2005). While Meguid (2005) measured niche parties through their affinity to certain party families, Wagner (2012: 850) argues for the ideological position measured by expert surveys and party programmes.

The second approach focuses on the discursive strategies of parties, as defined through their populist stance. Mudde (2004: 543) defines populism as a thin ideology where the “pure people” are opposed to a “corrupt elite”. Müller (2016) specifies that a populist party presents itself as the only “true” representatives of the people. While all elected representatives claim to represent the citizens’ interest, the claim to be the only valid voice of the *volonté generale* undermines democratic principles. It tries to delegitimize all other political actors. The thin ideology of populism is expressed in the discursive strategy of contrasting people and elite. It can link to many different “thick” ideologies (Jagers and Walgrave 2007). Kriesi (2014) explains that the understanding of who belongs to the in-group of “the people” needs to be specified through more profound ideological concepts. For example, a radical right version of populism identifies the in-group through ethnicity; a communist one through the working class. Similar to the concept of “niche” parties, the populist definition is applicable to parties across the political spectrum. Not all niche parties are populist and not all populist parties are niche parties; though there is some overlap. Populism cannot be identified through the ideological position only or in relation to other parties in a party system. It is primarily a discursive strategy that happens to often link to more extreme ideological positions.

De Vries and Hobolt (2012) proposed a third approach to identify the party type, which they term “challenger parties” (see also van de Wardt 2014, Hobolt and Tilley 2016). Mainstream parties are characterized by repeated participation in government. A challenger party has never been part of a governing coalition or formed a single party government. They are confined to opposition benches or do not even hold parliamentary representation. The authors are close to Sartori’s (1966) differentiation of “responsible” and “irresponsible” opposition parties with their operationalization of challenger parties. The lack of participation is a way to identify an “irresponsible” opposition party looking back in time. The operationalization through non-participation in government is plausible for large-n studies, as it provides a simple and clear-cut definition. For the qualitative small-n assessment of this thesis, I employ a more complex definition for parties challenging the

mainstream that combines several of the criteria of the concepts reviewed above.

This study uses the concept of anti-establishment parties by Abedi (2002). He defines three criteria, which serve to identify an anti-establishment party:

- it presents itself as a challenger to established parties,
- it expresses a fundamental divide between the established parties and “the people” in its rhetoric and
- the party challenges the status quo in terms of policy and political system issues.

This definition combines policy, structural and discursive elements. Anti-establishment parties are understood to propagate a new policy issue on the political spectrum, as for example Green parties focus on environment or the new populist parties’ on migration. Their self-concept revolves around challenging established political actors. Similar to the definition of populist parties, they employ a communicative strategy where the “people” are juxtaposed to the “elite”.

An anti-establishment party can be “established” according to the conceptualization of Abedi (2002).<sup>33</sup> The definition of an established party differs in quality from that of an anti-establishment party. The two qualities are not simply opposing poles of a dichotomy. A party is defined as established, if it either participated in government prior or where other parties with government potential consider it a suitable future partner (see also Abedi 2002: 555-557, de Vries and Hobolt 2012). In consequence, this approach also accounts for the possibility that an anti-establishment party has become established. That is a party that employs the discursive strategy of people versus elite, which participated in government before. In several countries we have witnessed anti-establishment parties participating in governing coalitions, such as in Austria, Greece and Italy as well as supporting a minority government in Denmark, the Netherlands (Mudde 2012). Since Abedi combines the discursive, ideological and practical elements discussed above, his analytical concept allows grasping this real world complexity.

I expect anti-establishment parties to be more competitive than regular parties. Existing research has shown that they follow different electoral and coalition strategies (Wagner 2012). The literature has discussed the priority of policy and office for this party type critically. First, challenger parties are considered to be more policy oriented than established parties (Spoon 2011). Jensen and Spoon (2010) argue for a stronger policy

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<sup>33</sup> This differentiation becomes relevant in the empirical analysis of the Freedom Party in Austria. It is “established” as it has participated in coalition government with the SPÖ (1983-1986) and the ÖVP (2000-2005), however, clearly complies to the party type of anti-establishment parties.

focus in view of their origin as a reaction to a lack of policy offers by mainstream parties on a specific issue. Green parties as well as niche parties have been shown to maintain a stronger focus on policy than on office (Adams et al. 2006, Dumont and Bäck 2006). Second, studies investigated the impact of populist radical right parties with parliamentary representation or government participation (Minkenberg 2001, Williams 2006). Even in office, their impact on actual immigration or EU integration policy is rather limited. Finally, the goal of office conflicts with re-election prospects for anti-establishment parties, especially in member states where coalition governments are common (Sitter 2001, van de Wardt 2014). A party that promised unrealistic policy contents risks re-election when taking over governing responsibility (assuming they must fail in realizing their policy). Several authors have shown that the electoral cost is high for anti-establishment parties first governing responsibility (Pedahzur and Brichta 2002, Bolleyer 2008b, van Spanje 2011).

To sum up, anti-establishment parties are characterized by their discursive and positional challenger status towards the political elite. In this they address the voters who are dissatisfied with the status quo of the political system. The positional and rhetorical anti-establishment strategy is expected to lead to less cooperation with parties in government. Some authors argue that the goal of policy-seeking is more pronounced for anti-establishment parties. In consequence, I expect them to be less cooperative towards other mainstream political parties.

H1) If an opposition party holds an anti-establishment stance, it is expected to use more parliamentary activities related to a competitive strategy.

The strategy of competition is differentiated by one further aspect. The quality of the competition may be of relevance for the contribution to democratic legitimacy. This study derives two different types of conflict based on Sartori's (1966) distinction of "responsible" and "irresponsible" opposition (see also Helms 2002, Brack and Weinblum 2009). According to the author, the (ir)responsibility has an effect on the type of competition an opposition party engages in. A "responsible" opposition party is able to respond to the challenges it would be confronted with when in office. It develops realistic policy alternatives in its motions and public statements. These inform the electorate on alternative policy programmes and increase the legitimacy of the democratic system. Sartori (1966) defines an "irresponsible" opposition party as unprepared to actually live up to the responsibility of government. Its priority is criticising the government or the existing political system as an end in itself. This outright criticism does not provide practicable

alternative policy programmes. It rather weakens the legitimacy of the political system. As anti-establishment parties have been categorized as “semi-loyal” (Linz 1978: 32-33, Schedler 1996: 303), they accept the constitutional boundaries of a democratic political system. However, they delegitimize all other political actors in the anti-elite attitude by ignoring the differentiation of opposition and government (Schedler 1996: 303). This form of competition is a principled criticism where government is attacked for the sake of competition and policy suffers a lack of argumentation on how to implement them under real world conditions.

H1a) If an opposition party holds an anti-establishment stance, it is expected to use more parliamentary activities related to *principled* competition towards political elites.

For the second hypothesis, I consider party positions of government and opposition on two dimensions of political conflict (a socio-economic and a cultural one). The argument builds on Blondel’s (1997) classic work on theorizing opposition and links to more recent studies on societal and political cleavages (Bartolini and Mair 1990, Kitschelt 2001, Kriesi et al. 2006).

Blondel (1997) identified two basic dimensions that characterize opposition in a country: 1) the fragmentation of opposition and 2) its political goals and strategies. The first dimension is useful to characterize a political system. It does not explain variation among opposition parties as intended in this study. The second dimension of policy goals and strategies of opposition can be applied at actor level. Blondel (1997) acknowledges that it would be difficult to identify the policy goals of opposition parties in abstract terms. What matters though is in how far opposition’s policy goals *differ* from the ones of the government. The more distant the positions are, the more the parties compete against each other.

Blondel’s (1997) assumption can be linked to two important theories on party competition: spatial analysis and issue competition. Spatial models assume that party groups locate close towards citizens’ interests while maximizing the distance to their competitors (Downs 1957). Thus, the positional distance between governing and opposition parties is an important factor for explaining party groups’ behaviour.

Other scholars argue that parties increasingly compete about which issues to place on the political agenda (Budge and Farlie 1983, Green-Pedersen 2007, Guinaudeau and Persico 2013). Issue competition is about advancing issues, like economics, environment or

migration that benefit the own party in electoral competition and are disadvantageous to other parties (Green-Pedersen 2007: 609). Green-Pedersen (2007: 609) explains how issue competition relates to positional competition among political parties. A difference in positions is a pre-condition for pushing the topic onto the political agenda. Research on issue competition strengthens the argument for the following Hypothesis 2: Strong positional differences should encourage to more competitive strategies of opposition parties in the parliamentary arena.<sup>34</sup> Here, agenda setting within parliament, e.g. through motions and in debates, should play a role.

More recent research on opposition has investigated the role of positional differences to explain opposition parties' behaviour in parliament (see de Giorgi 2011, Kaiser 2008, Finke and Herbel 2015). Kaiser (2008: 7) argues for an actor-centred explanation of opposition in a study of opposition in Westminster style democracies. He shows that opposition parties whose policy positions are closer to the government are more likely to cooperate with the government. De Giorgi (2011: 12) develops theoretical considerations on supportive or adversarial voting behaviour of the opposition on government proposals. Among other factors, she finds that less distance in policy preference between governing and opposition party groups leads to more cooperative behaviour. Finke and Herbel (2015) demonstrate that policy preferences matter for the initiation of scrutiny on EU-related documents in a study of eight EU member states. The more governing and opposition parties differ on an EU policy proposal, the more likely it is for opposition to initiate scrutiny. This is especially relevant when the government is weak in terms of seat share (Finke and Herbel 2015: 502). Building on this theoretical and empirical research this study hypothesizes that policy positions matter for cooperation and competition among parliamentary actors.

H2: The more distant an opposition party group's position is from the governing parties, the more it is expected to use parliamentary activities related to a competitive strategy.

Though ideological distance is a simple criterion for predicting competition or cooperation in the parliamentary arena, the question remains how to measure this distance in party positions. This study builds on cleavage theory and empirical studies on West European party systems to find a measure for ideological distance that further specify Hypothesis 2. This thesis acknowledges two major cleavages in West European states.

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<sup>34</sup> Scholars operationalize "issue-divisiveness" with party groups positional distance multiplied with a salience score (see Martin and Vanberg 2004: 20, de Giorgi 2011).

Cleavage theory argues that “critical junctures” in large-scale societal processes, such as nation building, secularization or industrialization, have a long-term impact on the structure of political conflict in a country (Lipset and Rokkan 1967). According to Bartolini and Mair (1990), a societal cleavage is constituted by three elements: a) a socio-structural one, such as class or religion, b) a collective identity of the respective social group and c) an organisational manifestation thereof. Bornschieer (2009: 1) explains the appeal of cleavage theory by its ability to link specific micro level political behaviour to abstract macro level developments. It serves as a heuristic to reduce the complexity of social life.

Cleavage theory mainly argues for permanence of social structure. Lipset and Rokkan (1967) argue in their “freezing hypothesis” that the societal conflicts of the 1920s continued to structure Western European party systems over time to the stability of cleavages. Whereas a party system may “freeze” – in other words become institutionalized or consolidated (Sartori 2005) – we can hardly assume that society itself does not continuously evolve. In consequence, consolidated parties become less representative of the social groups in their country where the “freezing hypothesis” is true. A de-alignment of voters and established parties provides room for new parties or position change of existing parties (Martin 2000, Lachat 2007). If new issues correspond to the existing cleavage structures, existing parties can fairly easily integrate them. However, if a new issue cuts across existing dimensions of political conflict, parties are internally divided and struggle to find a common position on the new issue. Globalization, including EU integration, is argued to trigger such a change in the cleavage structure in the past decades (Kriesi et al. 2006).

Lipset and Rokkan (1967) identified four dimensions of conflict in their seminal work: capital versus labour, centre versus periphery, rural versus urban and religion versus state. These evolved from two processes, industrialization and secularization, after the turn of the century. For this reason Kitschelt (1994: 230-234) argues that the four dimensions can be boiled down to two: class and religion. Whereas the class cleavage is linked to socio-economic conditions (with issues like redistribution, taxation and the role of the government in the economy), the religious cleavage touches more upon values (with issues like abortion) (Otjes and Katsanidou 2017: 302). Scholars saw an issue termed New Politics (or “new value” or “new class”) affect the traditional cleavages in post-industrial societies since the late 1960s. Focusing on moral and lifestyle questions, the social movements of the 1970s accentuated a value conflict between libertarian and authoritarian ideals (Kitschelt

1994, Flanagan and Lee 2003, Bornschieer 2009). The religious cleavage transformed to a cultural one.

Kriesi et al. (2006: 13) argue that globalization created a new line of conflict in recent decades between winners and losers of integration beyond national borders (see also Kitschelt 1994, 1995, Hooghe and Marks 2009). Especially the value-based dimension that spans between authoritarianism and liberalism since the 1970s changed due to globalization issues. Following Hooghe and Marks (2009), one pole is associated with traditional-authoritarian-nationalist (TAN) values, whereas the other relates to green-alternative-libertarian concepts (GAL). Migration and European integration are issues of high controversy within this cultural dimension, as they are manifestations of the permeability of national borders. This thesis follows those studies that conceptualize the political space as two-dimensional.

How do these two dimensions of conflict impact party competition on EU affairs? The European Union holds competences in such a wide range of policy fields that EU affairs cannot be considered a single issue. EU competences cover diverse policy areas, such as agriculture, the common market and environment. Next to the broad range of “things the EU does”, conflict also revolves around “what the EU is”. The process of EU integration triggers controversies about the future of this polity. This study identifies scope conditions for the ideological distance on each dimension: It identifies which EU issues spark controversy on which of the two dimensions defined above (socio-economic and cultural).

In general the issues that relate to questions of economy and redistribution (left-right axis) trigger most competition in parliament (Stecker 2011, Moury and de Giorgi 2015: 4). For EU affairs, the left-right dimension still structures competition to a certain extent though it is not the dominant one. For this dimension of conflict, it is most important to analyse “what the EU does”, its policy output. The traditional difference of the left aiming for regulation in form of protection of social and worker rights versus the right promoting deregulation translates to the EU level of governance (Kriesi et al. 2006). Hooghe and Marks (2009: 14-15) explain that the socio-economic conflict at EU level is less about redistribution than about (de)regulation. Parties left of centre demand market correcting measures at EU level or the protection of national social welfare systems. Conservative parties and economic liberal ones see deregulation as the goal of EU integration. Studies have shown that the left-right conflict structures decision-making within EU institutions



(see Hix 2008). In consequence, the left-right dimension should matter especially for the design of the common market and the economic policy areas.

More recent studies also show a difference in the reactions of left or right parties in the Euro crisis that links to the classic socio-economic dimension of conflict. Closa and Maatsch (2014) show that a party's position on the socio-economic dimension affects their stance towards crisis measures. They show that left extreme parties are strongly opposed to austerity measures. Miklin (2014: 1203) points out differences of centre-left and centre-right parties (or mainstream parties) on how to solve the Euro crisis. Left-oriented parties demanded growth-stimulating instruments based on deficit spending, while right of centre parties promoted budget consolidation and financial stability (see also Wendler 2012: 20-24).

In sum, ideological distance of opposition and governing parties on the left-right dimension is expected to translate into conflict about the social and economic policy design within the EU.

H2a) The more distant an opposition party group's position is from the governing parties, the more it is expected to use a competitive strategy towards EU issues concerning the economic and social policy areas.

How does the cultural dimension (TAN versus GAL) of political conflict link to compromise or competition on EU affairs? Most research on party positions towards European integration has argued that the integration issue ("what the EU is") stands orthogonal to the left-right dimension (Lord and Hix 1997, Hooghe and Marks 1999). The post-Maastricht EU triggers opposition from both ends of the socio-economic dimension (inverted U-curve) (Lord and Hix 1997, Hooghe et al. 2002, Lubbers and Scheepers 2010). Left and right extreme parties are most critical of EU integration. The basic identity-related question of more or less integration in Europe cuts across the socio-economic dimension. For this dimension of conflict it matters most "what the EU is", the aspect of European integration in terms of polity building. For parties in opposition who conflict with the governing parties on the cultural dimension, this study expects them to use a more competitive approach on the political nature of the EU integration project, e.g. migration, further integration (deepening and widening) and identity-related issues. During the Euro crisis questions of cross-border solidarity and transnational redistribution are most likely

linked to identity matters and can be explained by the cultural dimension of political conflict.

H2b) The more distant an opposition party group's position is from the governing parties, the more it is expected to use a competitive strategy towards issues concerning EU integration and identity matters.

## **2.4. Summary**

Opposition to EU affairs at domestic level is – despite its relevance for EU democratic legitimacy – an understudied topic. This chapter has developed a model for analysing opposition to EU issues at the national level in the parliamentary arena. Based on rational choice institutionalism, this study defines office- and policy-seeking as goals of parties. Opposition can achieve these goals by the strategies of competition or cooperation with governing parties. The model of opposition in national parliaments contextualizes these strategies within two steps of parliamentary procedures, the committee and the plenary stage, to grasp the temporal dimension of cooperation and competition in parliament. This two-step model applies to different channels of influence on EU affairs, including policymaking or oversight to the allocation of competences. Opposition can attempt to cooperate or compete at each stage of parliamentary scrutiny. Cooperation allows for partial policy influence negotiated behind closed doors, e.g. in committees, and is documented by the voting behaviour in parliament. Competition is expressed by agenda setting and public criticism in plenary debates.

The theoretical part of this thesis reviewed explanatory factors for the motivation of opposition parties to actively scrutinize EU affairs. It developed two hypotheses integrating actor-centred research on opposition to the study of parliament (see Table 1).

H1	If an opposition party holds an anti-establishment stance, it is expected to use more parliamentary activities related to a competitive strategy.
H1a	If an opposition party holds an anti-establishment stance, it is expected to use more parliamentary activities related to <i>principled</i> competition towards political elites.
H2	The more distant an opposition party group's position is from the governing parties, the more it is expected to use parliamentary activities related to a competitive strategy.
H2a	The more distant an opposition party group's position is from the governing parties, the more it is expected to use a competitive strategy towards EU issues concerning the economic and social policy areas.
H2b	The more distant an opposition party group's position is from the governing parties, the more it is expected to use a competitive strategy towards issues concerning EU integration and identity matters.

Table 1: Overview of the hypotheses.

This study sets out to investigate the political motivation for parliamentary EU scrutiny. It contributes to recent development in study of national parliaments and EU affairs, which analyses the actual use of parliamentary scrutiny rights. The theoretical model provides a sound framework for the empirical analysis. The following Chapter 3 explains the methodological approach.

### **3. Methodological framework and case selection**

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The overall aim of this thesis is to explain EU scrutiny activities of opposition parties in national parliaments. Chapter 2 has developed a theoretical approach on the role and strategies of opposition parties in EU affairs. It addresses the demand that studies open the “black box” of national parliaments in this research area (Raunio 2009). Most existing studies focus on formal rules not the actual scrutiny practices. The theoretical approach of this thesis conceptualizes the motives of opposition actors for EU scrutiny within legislatures. The two central hypotheses expect that anti-establishment parties and ideological distance towards the governing parties motivate more critical EU scrutiny activities. The model on opposition differentiates a two-step scrutiny process of the committee and plenary stage that applies to various channels of influencing EU affairs (see 2.2.3). For the empirical investigation of the theoretical approach, the study uses the comparative method in a small-n design. The analysis covers party groups in opposition in Austria and Germany in the legislative period from 2008, or 2009 respectively, to 2013. The investigation is of explorative nature since the topic has rarely been addressed by prior research.

The study covers the legislative work at committee level as well as the communicative practice at plenary debates. The empirical investigation combines three methodological approaches for an in-depth analysis of the overall six opposition parties in Austria and Germany. First, the scope of activities is measured in form of quantitative analysis, e.g. on EU-related initiatives at committee level or voting behaviour. Second, the quality of opposition parties’ scrutiny activities is investigated through content analysis of initiatives and plenary speeches. Third, the motivation and actual organisation of parliamentary EU scrutiny is assessed through interviews with members of both parliaments.

Period of investigation are the legislative periods from September 2008 to September 2013 in Austria and September 2009 to September 2013 in Germany. Covering a similar time period in both countries assures that the input from EU level and of the political developments in general is similar for each political system. Looking at a time period, which is less recent, allows better access to information and better evaluation of the developments in view of their outcome. The empirical analysis focuses on the time period

after the introduction of the Lisbon Treaty in 2009. This way the larger institutional context at EU level is stable within the period of investigation. The Lisbon Treaty has repeatedly been termed the “treaty of parliaments” (see Lammert 2009) as it has strengthened parliamentary participation at both levels: national and European. National parliaments, for the first time, have gained an opportunity of direct influence at EU level with the Early Warning Mechanism. The new treaty is by the time of writing in place for seven years so that it allows covering a sufficiently long period of time to understand the parliamentary logic under this new setting.

This Chapter 3 proceeds to present the general methodological framework of the comparative method (3.1). An important element of this method is the case selection. This study applies the most-similar system design. Chapter 3.2 argues that the institutional setting in Austria and Germany are quite similar and explains the parliamentary scrutiny procedures in more detail (3.3). The opposition parties are, at the same time, diverse on the two independent variables (party type and ideological distance, see Chapter 3.4). Chapter 3.5 lays out the methodological approach of the empirical analysis. It remains at an abstract level, as the analysis needs to be adapted to each channel of influence (committee work and plenary debates). Each empirical chapter (Chapters 4 and 5) first presents the precise methods and data sources, before it presents the results.

### **3.1. The comparative method**

The comparative method is a “systematic analysis of a small number of cases” comparing two or more cases on clearly defined criteria (Collier 1993: 105). It implicitly builds on the assumption that patterns of behaviour exist in social reality which scientific inquiry can detect (Faure 1994: 308). In terms of scope versus depth of study, the comparative method is located in between a case study ( $n = 1$ ) and a statistical large- $n$  approach ( $n > 20$ ) (Lijphart 1971, 1993). It allows a more in-depth analysis of the cases than statistical analysis, yet is more generalizable than a case study through the comparison of a number of incidents. Both, the statistical and the comparative method, look for co-variation between independent and dependent variables (Jahn 2013: 179). The comparative method distinguishes itself from the statistical one through conscious case selection by the researcher instead of random sampling from a universe of cases (Faure 1994: 312).

A much discussed problem of this method appears when the number of variables outweighs the number of cases, which Lijphart (1971: 686) termed the “many variables, small n” problem. Where this happens, the dependent variable will be over determined so that it is impossible to identify the explanatory power of a single variable (Przeworski and Teune 1970: 34). Ideally, the comparative method should lead to a clear falsification or support of hypotheses.<sup>35</sup> The aim of this study is to test and the hypotheses that were deduced from literature on parties and adapted for analysis of parliamentary behaviour, especially through the focus on formal parliamentary scrutiny in the inter-electoral period. Lijphart (1971: 686–690) listed three remedies to the “many variables, small n” problem: first, to increase the number of cases; second, to reduce the number of variables through theoretical parsimony and third, to match cases where control variables coincide. The last solution stands in conflict to the first, as cases, which hold many similar attributes, are rare (Lijphart 1975). This study addresses the “many variables, small n” problem through the parsimony of the rational choice theory. It reduced the number of independent variables to two key factors: party type and positional distance. The empirical analysis covers two member states with overall six opposition parties to increase the number of cases and validity of the results. The case selection uses the most similar system design in order to exclude institutional factors from the empirical analysis.

The comparative method aims at the analysis of co-variation in order to detect causal relationships (see Skocpol and Somers 1980). This method roots in the principles defined by John Stuart Mill (1890). Mill’s “method of difference” is best represented in an experimental setting, where all factors are similar except the manipulated independent variable. The most similar system design of the comparative method resembles this setup. Cases should be selected as similar as possible in all aspects except the independent variable(s) (Lijphart 1971: 687). The effect of the independent variable on the outcome can effectively be tested.

The method of difference applies only to dichotomous variables which are either present or absent. Mill’s method of concomitant variations further accounts for gradual variation of variables: “Whatever phenomenon varies in any manner whenever another phenomenon varies in the same particular manner, is either a cause or an effect of that phenomenon, or is connected with it through some fact of causation.” (Mill 1890: 287) The two methods of

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<sup>35</sup> Alternatively, the comparative method can be used inductively to find new hypotheses (Skocpol and Somers 1980, Collier 1993).

difference and of concomitant variations complement each other and may be combined. They represent the basic logic behind the comparative method of this study.

Most social science research problems are confronted with probabilistic, not deterministic, relationships among variables (Gschwend and Schimmelfennig 2007: 12). A single case that contradicts the theoretical expectations does not overthrow a theory in a probabilistic setting. In so far, Mill's conclusion rules cannot be applied strictly. For the actual research design, one often needs to conceptualize more complex relationships allowing for gradual variation and more or less likely outcomes. The statistical method has clear agreements on levels of significance (e.g. the one or five per cent confidence intervals, see Fields 2012: 51); For the comparative method, there is no predetermined standard for the intensity with which two variables should be linked in order to be significant. The researcher needs to decide herself about the cut-off point (Jahn 2013: 179).

The limited number of cases and countries of the comparative method have two crucial advantages over a statistical large-n approach: It allows a more in-depth analysis and avoids conceptual overstretch (Collier 1993: 108). According to Sartori (1970) the original meaning of theoretical concepts can be distorted when applied to a large number of cases. In turn, concepts designed as one-size-fit-all risk to be superficial. They may be unable to grasp all important aspects necessary to understand a case. Collier (1993: 106) argues that the comparative method with a small number of cases is most adequate for a first assessment of a theory. It gives room to account for detailed analysis of the independent variables of interest and to be aware of alternative explanatory variables. A small-n study can be designed for the purpose of hypotheses testing through careful case selection. This study intends to refine hypotheses (Levy 2008). Where the new theory and its hypotheses find support in the small-n study, future research can extend the scope of empirical analysis.

### **3.2. Case selection**

The conscious selection of cases in a small-n comparative approach serves as substitute for statistical control of intervening variables or control over context factors in an experimental setting (Collier 1993: 106). George and Bennett (2005: 234) argue that case selection is "the most difficult step in developing a case research design." Due to the rational choice neo-institutionalist framework, this study faces the additional challenge to consider factors

at the system- and at the actor-level. The institutional factors that have been shown to impact opposition parties' roles are located at country level (see Section 2.3.1). The utility maximizing incentives derived from the goal of policy- and office-seeking vary at party group level. The case selection needs to account for these two levels and their possible interaction.

### ***3.2.1. The most similar system design***

The case selection of this study is guided by the logic of a most-similar system design (Lijphart 1971, 1975, Faure 1994). The general idea of the most-similar system design is to keep all system-level factors constant except for the independent variable(s) of interest. Most-similar system designs are often used for the study of system level factors. However, Przeworski and Teune (1970: 33–34) point out that there is no abstract reason for excluding sub-system level factors as variables. The logic of the most-similar system level is adapted to the purpose of this study: It keeps the system level factors (as) constant (as possible), while the independent variables vary at the *actor level*. With this research design the study can focus on the strategies of opposition parties and largely disregard institutional factors.

This leads to a second challenge of case selection. There is a range of EU member states that could be matched according to the most-similar case selection. For example the Scandinavian countries with the Netherlands or more majoritarian democracies, such as Ireland, UK and Poland, could be sensible groups of countries to study. To make an adequate choice of countries within these options, this study uses the least likely principle. In which type of political system can we expect the least amount of competition by opposition parties?

The classic literature on opposition has defined a number of institutional criteria that influence the role for opposition, such as the type of government, electoral system and degree of centralization (see Section 2.3.2). These different political system attributes relevant for the role of opposition are linked to the dichotomy of consensus versus majoritarian models of democracy (Lijphart 2012). Lijphart (2012) argues that the concentration or dispersion of power in a political system influences the type of legitimacy of a democracy. Where power is concentrated in the hands of the majority, as in Westminster systems, opposition has few options but to exert public criticism (see Maeda 2013). Its influence within the formal process of legislation is very limited. A consensus democracy gives parties in minority better opportunities to influence policy outcome. In



consequence, the stronger institutional rights make cooperation more effective and attractive for opposition parties (Maeda 2013).

The introduction of this thesis has argued that competition by opposition parties should advance the democratic legitimacy of EU policymaking through more active politicization of the decisions at supranational level (see Section 1.1.3). For the empirical analysis, I choose to study consensus democracies. Here competition among party groups is less likely than in majoritarian systems. Should the analysis find a competitive approach on EU issues by opposition in these consensual democracies, the effect should be even stronger in a political setting that encourages competitive behaviour of opposition parties.

I chose Austria and Germany for empirical study since they are both consensus democracies, have similar institutional structures and show variation on the independent variables. First, Lijphart's (2012) study "Patterns of democracy" has located Austria and Germany both on the consensus side of the scale. Their institutional settings are very similar in cross-national comparison (see this Section 3.2.1 and Section 3.2.2). Their geographical proximity assures that the two countries share one language, similar historical experiences and culture (Gschwend and Schimmelfennig 2007). Thus, the political system factors and other potential undetected explanatory factors can be excluded from the analysis of different opposition strategies in EU affairs. Second, the party groups in opposition in the two member states vary in size, ideological position, party type and their attitude towards the EU (see Section 3.4.3). In so far, the selection of opposition parties in these two countries provides enough variation on the independent variables to test the hypotheses.

The following section explains the political system attributes of Austria and Germany to underpin the most similar system logic and the parliamentary rules and procedures on domestic and EU affairs. While the argument focuses on their similarities in cross-national comparison, the chapter also carefully points out differences that might affect the role of opposition and need to be taken into consideration in the evaluation of the results.

### ***3.2.2. The political systems of Austria and Germany***

This Section 3.2.2 presents an overview of the political system factors of the two countries under investigation. Austria and Germany have similar features on most of the political system factors that the literature identified relevant for the role of opposition (see Table 2). Furthermore, the two countries are long established democracies with relatively stable party systems and have been EU members for several decades. Germany is a founding member of

the EU and Austria joined in 1995, thus, over 20 years ago. Both participate in the common currency. They vary significantly in size of population and, in consequence, in the size of their parliamentary chambers. The size of a legislature affects its administrative support structure and resources. However, resources should not affect the strategies of opposition in EU affairs much. The remainder of this chapter assesses the political system features in detail. This information is necessary to justify the case selection.

	Germany	Austria
Presidential or parliamentary	Parliamentary	Parliamentary ( <i>de jure</i> semi-presidential)
Centralisation	Federalism	Asymmetric federalism
No. of chambers	Bicameral	Bicameral
Electoral system	Proportional	Proportional
Effect. No. parties	4.83	4.24
Type of government	Coalition	Grand coalition
No. of seats in NP	<i>Bundestag</i> : 622 <i>Bundesrat</i> : 69	<i>Nationalrat</i> : 183 <i>Bundesrat</i> : 62
Size (population in 2014)	80.9 mio.	8.5 mio.
Year of EU accession	1952	1995
Euro zone membership	Yes	Yes

Table 2: Political system features of Germany and Austria in the time period from 2009 to 2013.

The current political system of Austria is based on the constitution of 1920 (reformed in 1929), which was installed after the fall of the Habsburg monarchy. Austria is known as classic case of consociationalism (Pelinka 2006). The pillar structure is not installed in the constitution, but rooted solely in political arrangements. The constitution defines a semi-presidential system. The directly elected president formally holds the power to veto the installation of a new government and to dissolve parliament (§ 70 (1) and § 29 (b) B-VG). As up to date Austrian presidents have never used their powers, the country is considered a *de facto* parliamentary system (Pelinka 2006: 522). The state is organized in a federal structure with nine states. The parliament has two chambers with an asymmetric federalism. The *Bundesrat* is a weak second chamber and holds veto power only on constitutional reforms on the allocation of competence to state or federal level. Regarding all other legislation it merely has the ability to delay a decision for up to two month (Fallend 2006, Müller 2006).<sup>36</sup> Delegates from state parliaments form the second chamber, the *Bundesrat*. As party affiliation of members of the *Bundesrat* depends on state-level elections, it is possible that the opposition holds the majority in this body or gains it throughout the

<sup>36</sup> One third of the MPs in the *Nationalrat* can call for appeal at the constitutional court for abstract norm control on new legislation. This minority tool is not used frequently, however,

legislative period (Helms 2002: 62). Within the legislative period investigated here, the coalition government of ÖVP and SPÖ held the majority in the *Bundesrat* continuously.

The political system of Germany, in its current form, dates back to the foundation of the *Bundesrepublik Deutschland* and formulation of the Basic Law (*Grundgesetz*) in 1949. Whereas the traditional federal order of the country was reinstalled, the Basic Law revised many elements of the *Weimarer Republik* that had enabled the coming into power of the NS-Regime in 1933. The lower chamber of parliament, the *Bundestag*, is the only directly elected body at federal level. Power is dispersed by means of federalism and separation of powers.

The chamber representing the states, the *Bundesrat*, has a strong voice in the political system. The strong upper chamber is the main difference to the Austrian political system within the generally similar structure. Federal legislation requires the support of the *Bundesrat* in case of revision of the Basic Law and where legislation has an impact on the finances or administrative organization of the states.<sup>37</sup> The vote shares of parties in the *Bundesrat* are constantly changing with each state level election. The strong position of this chamber gives parties in opposition significant leverage in the case of holding the majority in this house (Helms 2002: 52). Only towards the very end of the period of investigation did the elections in Niedersachsen on 20 January 2013 result in a majority of votes for the three opposition parties in the *Bundesrat* (Wahlrecht 2016).

The power of a constitutional court and the opportunity for minorities to call for judicial review are a key factor in the separation of powers. Both countries institutionalized the principle of power sharing through independence of the constitutional court, which holds the power of judicial review of legislation. The responsibility of a highest court for the interpretation of the constitution is termed the Austrian/German-model (Kneip 2008: 624). This indicates the strong similarities of the two systems and their unique position. The constitutional courts in both countries are among the ones with the highest independence and institutional strength in international comparison (Kneip 2008: 648). The courts may review the norm conformity of legislation with the constitution in specific or abstract form. Thus, the constitutional courts can recall legislation that parliament has voted upon. This

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<sup>37</sup> Despite a reform of the allocation of competences to federal or state level in 2006, 38.3 per cent of legislation still required the consent of the *Bundesrat* in the legislative period from 2009 to 2013 (prior 41.8 per cent in 2005–2009). The *Bundesrat* has 69 seats and consists of delegates of state governments. See Gesetz zur Änderung des Grundgesetzes (Artikel 22, 23, 33, 52, 72, 73, 74, 74a, 75, 84, 85, 87c, 91a, 91b, 93, 98, 104a, 104b, 105, 107, 109, 125a, 125b, 125c, 143c), in: *Bundesgesetzblatt Jahrgang 2006 Teil I Nr. 41, ausgegeben zu Bonn am 31. August 2006*.

stands in stark contrast with Westminster systems, where parliament is the highest sovereign. As the appeal to court for norm conformity control requires only one third of MPs of the lower chambers of both countries, it can be used as strategic tool of opposition (Rudzio 2011, Stüwe 2001: 215ff). The shadow of anticipation of legal review may have an impact on negotiations among governing and opposition parties (Abromeit 1995).

Both electoral systems present a personalized form of proportional systems where the party remains highly relevant for MPs re-nomination (Saalfeld 2006: 219). The electoral system of Austria, since its reform in 1992, is a proportional system, which only mildly distorts the vote share to the seat share in parliament (Gallagher 1991). Thus, it is on the proportional end of other real world proportional systems (Müller 2006: 17). The electoral system consists of a complex three-tier procedure combining party lists with preference vote. In 43 regional electoral districts (1<sup>st</sup> tier) and nine state level districts (2<sup>nd</sup> tier), the voters have a vote for a party and a preference vote for individual candidates. In the third tier at national level all votes are calculated using the d'Hondt method to allocate the final seat share in parliament. Up to the period of investigation, the number of individual seats for MPs from the first and second tier was always lower than the vote share allocated in the third tier. So, the system works (so far) as a *de facto* proportional system of one national district with 183 seats. There is a threshold of four per cent or of one seat at first tier regional level by preference vote for a party to enter parliament (Müller 2006: 18).

The electoral system of Germany follows the logic of a mixed-member proportional system (Scarrow 2001: 55). Voters determine the allocation of 299 seats by personal vote for candidates in a plurality voting system of single-member districts. A second vote is allocated in proportional vote with closed party lists. The number of direct mandates from the personal votes is deduced from the relative seat share that the party gained in parliament.<sup>38</sup> A five per cent threshold or a minimum of three seats for a party by personal vote avoids fragmentation of the party system.

Austria and Germany have similar party systems. The effective number of parties at the parliamentary level is very close with 4.83 for Germany and 4.24 for Austria (Laakso and Taagepera 1979, Gallagher and Mitchell 2008). The effective number of parties excludes the presence of very small or irrelevant parties. What matters for this study, is that the party

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<sup>38</sup> For the case that a party receives more direct mandates than relative seat share by second votes, excess mandates are added to the overall number of parliamentary seats in the *Bundestag*.

systems are similar enough to not impact on the strategies of opposition parties in the two chambers.

The type of government varies slightly in the period of investigation. Austria was governed by a grand coalition among the two former “pillar parties”, SPÖ and ÖVP, from 2008 to 2013. The coalition government in Germany consisted of the liberal party as junior coalition partner and the CDU/CSU. Yet, this slight difference is outweighed by the institutional similarities. It should not interfere with the logic of party competition that the two hypotheses expect.

To conclude, both countries have similar institutional structures. They follow the logic of parliamentary systems and have a federal order with two parliamentary chambers. A strong constitutional court, proportional electoral systems and strong minority protection within the legislative process classify them clearly as consensus democracies. The most significant difference between the two political systems is the power of the second chambers – both termed *Bundesrat*. The much more frequent participation and voting power of the German *Bundesrat* in the legislative process gives the opposition significant influence in case of its majority in the second chamber. Within the period of investigation, opposition through the second chamber is relevant only for the last nine month of the legislative terms.

In the following section I assess the rights of parties in minority in more detail, which further justifies the case selection.

### **3.3. Similar parliamentary procedurs in Austria and Germany**

This section explains the processing of legislation and government control at domestic and EU level in the Austrian and German parliaments. This section strengthens the argument on the case selection of Austria and Germany. In view of cross-country comparison, a number of important procedural similarities of both lower chambers underpin the most-similar system design. Focus of this study is the lower chambers towards which government is directly responsible. A clear picture of the parliamentary procedures is important background information for the specification of the dependent variable of opposition activities.

Key interest is the room of manoeuvre for opposition parties. What parliamentary instruments do opposition party groups have available? Helms (1997: 53–54) defines

minority rights within parliament as an additional institutional indicator for the potential influence of opposition. He names the right to initiate legislation and influence the parliamentary agenda as important means of policy influence for parties in opposition. Special attention will thus be dedicated to minority rights within the parliamentary process. This Chapter 3.3 first presents the procedures in the domestic legislative process (3.3.1), before it turns to the specificities of EU scrutiny (3.3.2).

### ***3.3.1. The domestic legislative process***

This Section 3.3.1 explains the regular legislative process in the two chambers under study in chronological order of the procedure.

#### ***The initiation of legislation***

The initiation right for legislation is intimately related to agenda setting in parliament. Laver and Shepsle (1994: 295) argue that the determination of the agenda has an important influence on what is decided in parliament. Issues that are kept off the agenda cannot possibly be addressed. The legislative process is most often initiated by a government bill.<sup>39</sup> The resources of ministerial administrations put the executive in much more favourable position of drafting legislation than parliament itself. In Austria a legislative draft of a ministry is subject to a consultation process with stakeholders before it is forwarded to parliament. In Germany legislation originating from the government enters the *Bundesrat* first, which has six weeks to formulate a position (*Stellungnahme*). The original draft from the government and the position paper of the *Bundesrat* are then submitted to the *Bundestag*.<sup>40</sup>

The initiation of legislation is also open to parliamentary party groups, a certain quota of MPs or the upper chambers (voting by majority). In both countries, parties in minority also have the opportunity to formulate a legislative initiative. The rules of procedure of the *Bundestag* define that a parliamentary party group or a minimum of five per cent of MPs (currently 31) may initiate a motion (*Antrag*) or bill (*Geschäftsordnung des Bundestages* (GO-BT § 76-1). For the *Nationalrat* the requirements are even more favourable to minorities as a group of five parliamentarians (that is 2.7 per cent) suffices to issue an independent proposal (*Selbstständiger Antrag*, see *Geschäftsordnungsgesetz des*

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<sup>39</sup> In Germany, 80% of legislative proposals stem from the government (Bundestages 2016).

<sup>40</sup> In both countries, the upper houses receive the legislative proposal after the lower chamber has made a decision and may vote where its competences are touched upon. The position paper of the German *Bundesrat* allows the *Bundestag* to anticipate lines of conflict with the upper chamber. The Austrian *Bundesrat* is less powerful than the German upper house and rarely preforms as a veto player.

*Nationalrates* (GOG-NR) § 26) or committees may take initiative (*EntschlieÙung*, see GOG-NR § 28). Though the opposition is unlikely to gain majority support for a legislative draft or motion, it allows them to state their position on the issue or to set an issue on the committee or plenary agenda. These initiatives are not restricted to the initiation of legislation, but may also concern a request from the government or a statement on the position of parliament. In cross-country comparison, both parliaments show a rather strong position for minorities for legislative initiative (Helms 2002).

### ***First reading in the plenary***

A legislative bill passes through three readings in the lower chambers until a final decision is made. A cross-party body determines the schedule of the plenary where consensus among all party groups is achieved: the Presidential Conference (*Präsidialkonferenz*) in the *Nationalrat* and the Council of Elders (*Ältestenrat*) in the *Bundestag*.<sup>41</sup> This procedure does not allow the governing parties to dominate the timetable. However, at the beginning of a plenary session the chamber may overrule the suggested timetable of the Presidential Conference or Council of Elders by majority vote. The two chambers under investigation range in the middle compared to the UK and Ireland where the plenary schedule is under complete control of the government on the one hand, or the Netherlands where the chamber has complete autonomy over its agenda on the other hand (Döring 1995: 225).

When a legislative proposal arrives in parliament a first reading in the plenary may take place to outline the general points of discussion. In both parliaments the first reading usually remains without deliberation of the issue. A debate at this point in time in the *Bundestag* may be tabled for important legislation by decision of the Council of Elders or if five per cent of MPs demand a deliberation. Most often, the plenary just formally delegates the item to one or more committees following the recommendation of Council of Elders. In the *Nationalrat* of Austria a first reading takes place, only if decided so by the chamber or explicitly requested by MPs' legislative proposal (*Initiativantrag*) (GOG-NR § 69). Elsewise the president of the parliament delegates the issue to a committee (GOG-NR § 13 (4)). In general, the committee stage can be considered to *de facto* take place before the in both countries. Committee work as first step makes it more likely that an issue is dealt in

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<sup>41</sup> The *Ältestenrat* in the *Bundestag* consists of the parliamentary president and his six substitutes and 23 MPs including the parliamentary managing directors of the party groups (*Parlamentarische Geschäftsführer*). The *Präsidialkonferenz* in the *Nationalrat* is compound by the presidents of the parliament and the parliamentary party group leaders.

fact-oriented consensual way, than if the parties' battle lines are fought out in the plenary first (see Döring 1995: 234–235).

### *The committee stage*

The committee level presents the backbone of parliamentary work. Woodrow Wilson (1885, cited after Shane 2014: 352) is famously cited with the “Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work”. Committees are internal subunits of parliament where a reduced number of MPs meet and hold some authority over issues of a certain jurisdiction. In the two chambers under investigation the committee membership is proportional to the seat share of party groups in the full house. Following Lees and Shaw (1979: 4) these small face-to-face sub-groups present the ideal organizational form for fact-oriented deliberation and accommodation of different positions. In so far, these specialized bodies allow opposition parties better access to information and legislative influence than floor debates.

In the legislative period from 2008 to 2013, the Austrian lower chamber had one main committee, 29 specialized committees and eight permanent sub-committees (Nationalrat 2016). The *Bundestag* had 22 permanent committees (Bundestag 2016). In both parliaments the jurisdictions of the committees broadly correspond to the structure of ministries (Strøm and Mattson 1995: 261). Olson and Mezey (1991) argue that the correspondence of committee and ministerial areas of responsibility facilitates the oversight function and building of personal networks of MPs (see also Strom 1990: 71). Committee agendas are pre-determined by the bills and motions referred to them. For each legislative proposal or motion the president of the *Nationalrat* or Council of Elders in the *Bundestag* assign a committee with main responsibility. In the *Bundestag*, other committees may be assigned advisory capacity. The committee chair assembles the agenda of a committee (GO-BT §61). In the *Nationalrat*, the secretaries of the party groups (*Klubsekretäre*) further elaborate the timing and order of the committee agenda (Pollak and Slominski 2003: 721). The order of day may be changed by majority vote at the beginning of the committee session in the *Bundestag* or by a two-thirds majority in the *Nationalrat*.<sup>42</sup>

The committees discuss and vote on motions, reports and legislative proposals. They may invite ministers, experts or stakeholders to their sessions to gain a better picture of the

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<sup>42</sup> Committee chairs are assigned in proportion of party groups' seat share in the *Bundestag*, which is an important tool of protecting minority interests. In the *Nationalrat* committee chairs are voted upon within the committee. However, the majority parties do not completely dominate chairing committees, but share some with opposition parties (check Helms 1997!)



situation.<sup>43</sup> Hearings can be especially relevant for parties in minority, which have less access to the government expertise than the majority. Austrian and German committees usually formulate and vote on recommendations for decision-making for the plenary. As the committees reflect the relative share of party groups in parliament, votes are taken by majority, if not prescribed differently by law or rules of procedure. Committees in the *Nationalrat* and the *Bundestag* both have the right to rewrite a government bill. The power to revise provides some influence on the plenary agenda compared to parliaments where ministers may block any alteration from parliament or only amendments are possible (Strøm and Mattson 1995: 286).

### ***Second and third reading in the plenary***

After the committee stage, a legislative draft or motion is scheduled for the plenary. For a legislative draft this so called second reading is usually opened by a debate (GO-BT § 81 and GOG-NR § 71–73). Single MPs or party groups may move motions for amendments in the second reading at the plenary. Thus, after the committee stage changes to the bill are still possible. The legislative draft and eventual motions for an amendment are voted upon by simple majority in the second reading. In both countries alterations to the constitution require broader majorities of two-thirds of the votes. Where the governing parties rely on votes from the opposition to achieve this qualified majority, these occasions give opposition parties a strong negotiation position. As constitutional changes in Austria and Germany happen with some frequency, this minorities right can be an important leverage for opposition parties in the legislative procedure.<sup>44</sup>

In the third reading the chamber makes the final decision on a legislative draft. Where no changes were introduced in the second reading the third reading may follow directly in the *Bundestag* (GO-BT § 84). In Austria the third reading takes place immediately after the second unless requested otherwise by the president or MPs. Usually, the third reading is not accompanied by a debate.

When the legislative draft has been decided upon by the lower chambers it is forwarded to the respective upper chamber, which may vote upon it, if the issue concerns competences of

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<sup>43</sup> The committees of the *Nationalrat* have the power to compel any citizens of the country to appear before the committee. The *Bundesrat* may invite individuals for hearings (Mattson and Strom 1995: 287-288)

<sup>44</sup> The revisions of parliamentary EU scrutiny rights required constitutional changes in Austria. As the governing parties relied on votes from the opposition to achieve the two-third majority, parties in minority were able to significantly strengthen their rights in future EU scrutiny activities (see Miklin 2015: 291, Hegeland and Neuhold 2002: 2). Similarly, the opposition was able to achieve concessions from the government in the decisions on the ESM in Germany (Höing 2015) Pp. 203–205.

the states (*Länder*). The procedure is finalized by signature of government representatives and the president of the country and publication in the official journals (*Bundesgesetzblatt*).

In sum, the legislative processes in the Austrian *Nationalrat* and in the German *Bundestag* provide a significant influence for minorities. The power of majority is limited by sharing agenda setting power with opposition parties (Döring 1995). In both chambers, opposition parties may initiate legislation (Austria slightly more favourable to minorities with only 2.7 per cent of MPs necessary for initiation of legislation compared to 5 per cent in Germany) and influence the plenary agenda (and committee assignments in the *Bundestag*) through the cross-party bodies of the *Präsidialkonferenz* or *Ältestenrat*. The strong committee systems create a further advantage for parties in minority as committees often function more fact-oriented than along conflicts of party lines and might enable opposition parties some influence over legislative output.

### **3.3.2. *The process of EU scrutiny***

EU affairs were initially part of foreign affairs, known as the classic area of executive dominance (Wessels et al. 2013: 23). With the increasing relevance of the European Union, parliaments established stronger scrutiny rights over EU affairs, such as special information rights on EU initiatives, the establishment of European Affairs committees (EACs) and a stricter accountability of the minister's activities in the Council towards parliament. In so far, today EU affairs usually range somewhere in between domestic and foreign affairs in terms of parliamentary control rights.

The introduction of the Lisbon Treaty has led to profound revision of parliamentary scrutiny of EU affairs in both countries – though for different reasons. In Austria, the adaptation of legislative processes to the Lisbon Treaty required a Constitutional change and thus the support of a two-thirds majority in parliament. This exceptional situation gave the opposition significant leverage in negotiations with the government. The Green party and the Liberal Forum used their “power of the vote” to negotiate for better minority rights on EU affairs (Hegeland and Neuhold 2002: 4). Three pillars of legal rules were revised: the constitution, the EU Information Law (*EU Informationsgesetz*, EU-InfoG) and the rules of procedure of parliament (Miklin 2015: 396). Agenda setting and information access were revised in favour of parties in minority. In Germany, the ruling of the Constitutional Court on the Lisbon Treaty in June 2009 significantly strengthened parliament vis-à-vis the executive (Bundesverfassungsgericht 2009). The law regulating parliamentary EU scrutiny

rights (*Gesetz über die Zusammenarbeit von Bundesregierung und Deutschem Bundestag in Angelegenheiten der Europäischen Union*, EUZBBG) had to be revised in reaction to the court judgement (Kiiver 2010: 198). Parliament achieved better access to information and a stronger prerogative to formulate resolutions e.g. before Council meetings (Höing 2015a: 194). Information access is an important factor for parties in opposition.

The remainder of this Section 3.3.2 gives a detailed depiction of the information rights, statements towards the national government and the EU Commission, the involvement of the plenary in Austria and Germany.

### ***Information access***

Since the introduction of the Lisbon treaty, parliaments receive all EU legislative proposals, green and white books and communications directly from the European Commission (Protocol No. 1, Art. 1 and 2, TEU). This makes MPs less reliant on cooperation of the government. However, for effective scrutiny they may still require the more informal documents from the EU level and information about the government position towards an EU proposal. Formal information rights primarily benefit the opposition, as government parties can use the party channel to achieve timely information (Höing 2015a: 198).

Austria and Germany both have very formalized and strong information rights on EU affairs. In both countries basic principles on informing parliament are prescribed in constitutional law: government has to provide comprehensive information without any delay on all proceedings at EU level (B-VG, Art. 23 (e) and GG Art. 23 (2)). Detailed information requirements are specified at the level of secondary law, which were revised in the aftermath of the Lisbon Treaty (EU-InfoG, in 2012 for Austria and EUZBBG, § 3-6 in 2013 for the *Bundestag*). The information laws specify the types of EU and government documents and the necessity of government to inform parliament on all meetings of the Council, the European Council and preparatory bodies. Both parliaments can receive informal EU documents upon request from their governments. In Austria, the EU-InfoG (§ 1) prescribes that the parliamentary administration feeds all EU-related documents into a national database for easy accessibility by all MPs. In both parliaments, the respective ministers are asked to inform regularly about the upcoming Council agenda (biannually in the *Nationalrat*, EU-InfoG § 5, every three month in the *Bundestag*, EUZBBG § 4 (2)). Furthermore, the laws specify the timing and expected content of explanatory memoranda on the impact of EU legislation on Austria or Germany and the position of the government on the matter (EU-InfoG § 6, EUZBBG § 6).

Formal information rights strengthen the position of parliament, but may not be a valid indicator of well-informed MPs. Even with very specific formal information rights, government may deliver superficial or partial information. For Austria, several studies have discussed the problem of information overflow and the difficulty for parliament to filter relevant information from the 20.000 to 25.000 EU-related documents it receives every year (see Pollak and Slominski 2009: 203). Miklin (2015: 392) explains that the quality of the Austrian EU database and the explanatory memoranda the government sends for all items on the EAC since 2003 have helped to partially overcome this problem.

### ***Ex-ante control of the government***

In line with the strong information rights, both parliaments have strong institutional prerogatives to control the government on EU affairs. In the OPAL institutional strength score, the *Bundestag* ranks second (with 0.74 points) of the then 40 chambers of EU parliaments (see Auel et al. 2015: 70). The *Nationalrat* is in the mid-range of this ranking with 0.51 of a potential 1.0 points (highest score is 0.84 for the Finnish parliament). It has repeatedly been pointed out that the Austrian mandating rights are exceptionally strong in EU-wide comparison. All national parliaments may issue resolutions to the government before (European) Council meetings defining the position on the issue at stake. Austria is one of the few countries in the EU, which has a full out mandating system with legally binding resolutions (*Stellungnahme*) (B-VG § 23 (e), (k)). Government may deviate from this position only after consultation with parliament<sup>45</sup> and for imperative reasons of integration or foreign policy (B-VG § 23 (3)). It needs to justify why it was not able to maintain the parliamentary position ex-post. The parliament may also issue non-binding resolutions (*Ausschussfeststellung*).

The *Bundestag* can issue resolutions (*Stellungnahmen*), which are not legally binding as the Austrian mandate, but should be “taken into account” (“die Bundesregierung berücksichtigt die Stellungnahme”, GG Art. 23 (3)). However, official resolutions create political pressure. The government is also asked to deviate only for imperative reasons of EU integration or foreign policy. Any deviation needs to be justified afterwards, publicly, if 25 per cent of MPs request so (EUZBBG § 8 (4), see also Höing 2015a: 194).

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<sup>45</sup> To make it possible that the chancellor in a European Council meeting get a fast response from parliament, the main committee may install a “fire-fighting committee” (*Feuerwehr-Ausschuss*) consisting of one representative of each party groups and the chair of the standing EU-subcommittee. This mini-committee is on call during (European) Council meetings in order not to achieve flexibility *and* accountability of the minister during negotiations in Brussels (see Miklin 2015: 393).

### *Committee stage*

In both chambers, the EU affairs committees have the power to issue resolutions and (reasoned) opinions to the Commission in name of the parliament (see Höing 2015a: 195, Miklin 2015: 393).<sup>46</sup> All other committees need the approval of the plenary for issuing official opinions or statements. The formal rule to circumvent the plenary endangers EU issues to be dealt without any public attention and less information for MPs who are not members of the EACs (Auel 2007, Auel and Raunio 2012). The EU affairs committees hold responsibility for the *ex-ante* control of EU issues, thus, before legislation at EU level is decided upon. The transposition of EU directives is in the domain of the other specialized committees. The implementation of EU directives into national law follows the same process as the normal legislative process described in this section.

In the *Nationalrat*, the main committee (*Hauptausschuss* with 26 members), meeting as “Main Committee on EU Affairs”, is responsible for questions of EU integration and holds government to account for its activities in European Council meetings and Euro zone summits (Pollak and Slominski 2009: 196). The rules of procedure list three tasks of the main committee: issuing mandates to ministers, reasoned opinions to the Commission and opinions to EU institutions (*Mitteilungen*) (GOG-NR § 31 (d)). The control of ministers in the Council of the EU is, however, delegated to a sub-committee (§ 31 (e) GOG-NR, see also Miklin 2015: 392). This permanent sub-committee on EU affairs (*Ständiger EU-Unterausschuss*, with 16 members and 16 substitute members) covers the upcoming legislation at EU level (Pollak and Slominski 2003: 723). Other specialized committees are not involved in terms of advisory capacity towards the EAC. However, MPs from other specialized committees may serve as substitute in the EU sub-committee when an issue from their area of expertise is on the agenda. In this way, they can contribute the perceived future impact on their policy areas in the debates of the EU sub-committee. Furthermore, specialized committees have the opportunity to demand committee debates with ministers that are focused on topical EU issues (*EU Aussprachen*) (Miklin 2015: 394). Before a meeting of heads of state or government, the Austrian chancellor appears in the Main Committee on EU Affairs to discuss the position of Austria. As debates on EU issues take place mainly at committee level (not the plenary), meetings of both EACs in the

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<sup>46</sup> In Austria, the European Affairs committees by default decide without plenary involvement. A parliamentary party group or minimum of five MPs can request to table an issue for the plenary (GOG-NR § 27). In the *Bundestag*, a parliamentary party group or minimum of 5 per cent or MPs can request that the EAC issues a resolution in the name of parliament. Or the EAC may decide so by itself, if no other committee rejects the request (GO-BT §92(5)).

*Nationalrat* are public, if not decided differently (Hegeland and Neuhold 2002: 15). In so far, EU issues are assembled in two committees; the other sectoral committees are not directly involved in ex-ante EU scrutiny. The Austrian Main Committee on EU affairs meets at least four times a year as preparation of European Council meetings. The sub-committee on EU affairs sits about once per month (Miklin 2015: 393).<sup>47</sup>

In the *Bundestag*, the European Affairs Committee (35 members) holds responsibility of EU integration issues (EU enlargement, EU treaty revision, the use of the *passerelle* clause and subsidiarity issues) and has a coordinative function on EU policy issues states (Auel 2006: 253). The control of the EU policymaking process is “mainstreamed” to the regular specialized committees (Auel 2006: 253, Gattermann et al. 2015). The EAC is only in main charge of treaty changes and enlargement (*federführend*). All policy issues discussed in the Council are under main responsibility of other sectoral committees; the EAC coordinates and can give an opinion on these issues (*mitberatend*). The ex-ante control of the European Council takes place at the plenary level. The EAC recommends to the president which incoming EU document should be referred to which committee (GO-BT § 93 b (2)).<sup>48</sup>

### ***Involvement of the plenary***

While statements and resolutions formulated by the EU affairs committees may be kept off the agenda (if the committees issue the resolution without plenary involvement), other instruments allow pressing for plenary debates on EU affairs.

First of all, the party groups can agree on topics for debate in the Council of Elders or the Presidential Conference, which decides about the plenary agenda. In a regular plenary debate or following a government declaration topical EU issues may be tabled for debate. The consensual decision mode of the Council of Elders or Presidential Conference allow for some influence of minorities. Here Council or European Council meetings can be addressed ex-ante or ex-post. In the *Bundestag* it has become common practice that the chancellor gives a government declaration before or after a European summit in the plenary. In Austria, European Council meetings are debated in the Main Committee not the plenary. Yet the rules of procedure request the government to appear in the plenary at least

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<sup>47</sup> Since accession, the EU Sub-Committee was intended to meet monthly. In the time before 2010 meetings were less frequent though; Pollak and Slominski (2009: 196) for example indicate that the committee met five times per year for their period of investigation from 1999 to 2008.

<sup>48</sup> In both parliaments, the MEPs of the own member state may participate in the EAC meetings with speaking rights.

twice a year for a declaration before or after a European Council meeting (Miklin 2015: 394, GOG-NR § 74 (b)).

EU issues may also be addressed in questions addressed to the government in plenary sessions. A session of the *Nationalrat* may always begin with a question hour (*Fragestunde*), if a sufficient amount of individual oral requests (*mündliche Anfragen*) came in from MPs. Questions are directed towards government members and should be formulated within the time span of one minute (GOG-NR § 94). In the *Bundestag* has a weekly question hour, which takes place on Wednesdays at 13h where members of government answer questions on their cabinet meeting of that day. Furthermore, certain types of questions, such as a *Große Anfrage* require an oral answer by the government on the floor and a subsequent debate of the issue.<sup>49</sup>

In both chambers a single party group or minority of MPs (5 per cent in the *Bundestag*, 5 MPs in *Nationalrat*) can demand a “topical debate” (*Aktuelle Stunde*, GOG-NR § 97 (a); GO-BT § 106) that focuses on a specific issue. For the *Bundestag*, EU issues could be tabled for this 60 minutes discussion with government members. In the *Nationalrat*, the rules of procedure provide that four times per year “topical EU debates” takes place (*Aktuelle Europastunde*, GOG-NR § 74 (b)).

Finally, parties in opposition can formulate initiatives to influence the plenary agenda: in the *Bundestag* the initiator of a motion (*Antrag*) may request a plenary debate before the motion is allocated to a committee; in the *Nationalrat* urgent motions or requests (*Dringliche Anfrage* or *Dringlicher Antrag*) give a minimum of five MPs the opportunity to set a question or request (*EntschlieÙung*) on the plenary agenda of that same day (GOG-NR § 74 (a), § 93).

The ordinary EU scrutiny of committee work does not automatically bring EU issues to plenary debate. Yet, through their influence in the Council of Elders or the Presidential Conference on the plenary agenda, their question rights for oral questioning in the plenary and initiatives requesting plenary involvement opposition parties have significant room of manoeuvre to potentially push EU issues on the floor debates. It requires the interest and initiative of a parliamentary party group to request public debate in parliament.

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<sup>49</sup> In the German *Bundestag*'s plenary debates there is however the option of speeches and answers not actually being performed, but only taken up in the minutes.

### ***Legal control over subsidiarity infringements***

The Lisbon Treaty has provided national parliaments with the opportunity to call for appeal on an EU legislative act at the CJEU, if it infringes the principle of subsidiarity. In Austria a number of five MPs can initiate a motion to call for appeal at the CJEU, which then needs to be approved in the plenary by simple majority (Miklin 2012) (see also Art 23 (h) B-VG and § 26 GOG-NR). In Germany, this is a minority right and only one fourth of the members of the *Bundestag* suffice to call for action (Höing 2012) (see also *Integrationsverantwortungsgesetz*, § 12 (1)). However, no chamber in the EU has to date made use of this tool. While this formal right may have relevance by its “shadow of anticipation”, this tool is disregarded in the empirical analysis of this thesis due to lack of activity.

### ***Summary***

The Austrian and German parliament benefit from strong parliamentary scrutiny and control rights vis-a-vis the government. Following the logics of consensus democracies (see Lijphart 1999), both parliaments provide significant influence for parties in minorities as in initiation of legislation and agenda control. Strong information rights on EU affairs and strong committee systems further benefit opposition parties in the scrutiny of EU issues.

Studies on parliamentary scrutiny of EU affairs have shown that formal provisions and their actual use can differ significantly from each other (see Auel et al. 2015). For the *Nationalrat*, Pollak and Slominski (2003, 2009) and Miklin (2015) argue that the strong formal rules stand in contrast to their rare use – especially in the case of mandating. The dominance of the parliamentary majority makes it unlikely that parliament will contradict the government in public on a regular basis. This makes the study of their practical use as opposition tool for EU scrutiny even more relevant.

## **3.4. Variation in political parties’ attributes**

The logic of case selection of this study intends to hold system factors constant. The institutional setup and parliamentary procedures were explained in Chapters 3.2.2 and 3.3. Equally important is the variation on the explanatory factors at actor-level for the logic of case selection. This Chapter 3.4 describes how the opposition party groups in parliament differ in terms of party type and ideological positions (see Hypothesis 1 and 2, Section 2.3.2).



In order to delineate the position of opposition parties on the independent variables the study has to describe each party group in relation. Section 3.4.1 and 3.4.2 review the historical development of the party systems and parties' ideological backgrounds. As explained above, the lack of experimental or statistical control in the small-n comparative method makes it important to be conscious of potential hidden factors that influence the results. The information on the historical roots and context of the party systems enables the reader to detect other potential explanatory factors that may also influence party strategies.

### ***3.4.1. The party system of Austria***

The political system of Austria in the post-war period (1945–1966) has been characterized as “classic” consociationalism (Pelinka 2006). Society was structured in so-called pillars (*Lager*), which consisted of social groups with high internal cohesion, own sub-cultures, associations, cultural clubs as well as party representation. The two most important pillar-parties were the Austrian People's Party (*Österreichische Volkspartei*, ÖVP) and Social Democratic Party of Austria (*Sozialdemokratische Partei Österreichs*, SPÖ). The ÖVP represented the catholic-conservative *Lager* with strongholds in rural areas of Austria. The SPÖ had its support in the urban proletariat promoting a left-oriented political message and anti-clerical stance. Both were mass parties and received strong, continuous electoral support over decades. The strong, mutually exclusive identities of each *Lager* resulted in highly stable voting behaviour.

The social fragmentation into two *Lager* was accompanied by cooperation at elite level, which is characteristic of consociational democracies. The grand coalition governments from 1945 to 1966 were characteristic of the consociational period of Austria (Luther and Müller 1992). The League of Independents, later Freedom Party of Austria (*Freiheitliche Partei Österreichs*, FPÖ) founded in 1956, represented a small non-pillar party in this time period. Less cohesive than the two large pillar-parties it combined German-nationalism and economically liberal values and found support among white-collar workers and bureaucrats (Andeweg et al. 2008). Its rhetoric created an antagonism to the “power cartel” of the pillar parties (Pelinka 2002). The party resembled the organizational form of a cadre party and assembled around six per cent of the votes in general elections up until the 1980s (Luther and Müller 1992).

In the mid-1960s the identification and socialization of individuals within their *Lager* slowly declined (“de-pillarization”) (Müller et al. 1999). The link of pillar organizations,

e.g. employees or employers associations, and the pillar-parties continuously weakened. This resulted in more volatile voting behaviour and better access for non-pillar actors. However, in the time period from 1966 to 1983 single party governments still dominated the scene. The de-pillarization in Austria that had evolved over two decades only showed its full effect in the 1980s. ÖVP and SPÖ were confronted with a significant decline in voter support. The landscape of political competition changed (Andeweg et al. 2008). From 1983 to 1986 neither of the pillar parties held an absolute majority of the vote and SPÖ entered into a coalition with the then still (partially) liberal oriented FPÖ.

The two large pillar parties hold a generally pro-European attitude. Austria's neutrality hindered an application for EU membership until after the fall of the iron curtain. The ÖVP understood itself as a motor of Austrian EU politics and pushed for membership (Khol 1989: 230). The ÖVP underlines the relevance of Christian humanity and the principle of subsidiarity in European integration. The SPÖ was hesitant in the beginnings, but adopted a pro-EU position under party leader and chancellor Franz Vranitzky (1986–1997) (Pollak and Slominski 2002). The SPÖ demands a more democratic order within the EU and a strengthening of social aspects.

With the end of consociationalism, non-pillar parties gained momentum. In 1986 the Austrian Green party was founded as a protest party with a strong focus on environmentalist issues (Dolezal 2016: 16). The Green party in Austria first entered to national parliament in 1986. It roots in two green parties founded in 1982, which evolved from the protest movements against nuclear energy. After several quarrels over leadership, cooperation and organization, the green movements were united and renamed to *Die Grünen – Die Grüne Alternative* in 1993. Throughout the 1990s the party stabilized and professionalized and continuously gained voter support of up to 10 per cent. The Greens have participated in government at regional and local level in coalition with either ÖVP or SPÖ. However, up to date they did not form part of federal level government (Dolezal 2016). The party has a strong focus on post-materialist issues. It is placed in the centre of the socio-economic dimension.

The Green party was highly critical of the current form of the European Union at the time of Austrian accession. They were the only party group that did not support the application for membership in 1989. They always supported the basic idea of cooperation among European states, yet disagreed with the form of implementation. To date they vehemently

support enlargement of the EU and the idea of a multi-cultural society (Grünen 2001: 55–58).

In 1986, the FPÖ changed its profile with the election of Jörg Haider as party president and a strengthening of the nationalistic wing within the party. This led to a split-off by the liberal faction of the party to the Liberal Forum in 1993. Ever since this transformation, the FPÖ is categorized as culturally conservative populist party (Pelinka 2002, Heinisch 2004, Aichholzer et al. 2014). It successfully attracted former pillar voters as increasing vote shares from 1986 (9.73 per cent) to 1999 (26.91 per cent) document. Despite its anti-establishment character, the FPÖ entered in a government coalition with the ÖVP in 2000. The participation of a radical right party in government led to demonstrations in Austria, a Europe-wide outcry and sanctions from the other countries of the then EU-15. The international sanctions forced Haider to step down from the position of party leader (*Bundesparteiobmann*) in favour of vice-chancellor Riess-Prasser (Luther 2006: 9). The necessity to compromise as “party in government” stood in sharp contrast to the protest party’s rhetoric and created strong inner tensions within the party. Despite disastrous electoral results in snap-elections in 2002,<sup>50</sup> the FPÖ continued to be the junior coalition partner of the ÖVP in the new government. In 2005, five members of the FPÖ party leadership, including Haider, split-off to form the Alliance for the Future of Austria (*Bündnis Zukunft Österreichs*, BZÖ). The BZÖ substituted the FPÖ as coalition partner of the ÖVP.<sup>51</sup> In 2008 and 2013 the FPÖ gained back the strong electoral support pulling even with the two traditional pillar parties in the most recent general election in 2017.

The BZÖ gained some electoral support at the general elections in 2008 (10.7 per cent) and is one of the parties under study.<sup>52</sup> It is also categorized as populist party just like the FPÖ. However, it claimed to be more pragmatic and willing to cooperate with the ÖVP as coalition party in 2005–2008 (Urban Pappi 2007: 446, Onken 2013: 324). The party programme was quite similar to the one of the FPÖ (Luther 2009: 1052). With Haider’s fatal traffic accident shortly after the 2008 elections the party was deprived of its charismatic leader. When the regional party branch of the BZÖ of Carinthia, Haider’s former stronghold, reintegrated to the FPÖ, it further weakened the party. After the passing

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<sup>50</sup> The party lost 15 percentage points of votes leading to 10 per cent vote share.

<sup>51</sup> Possible as the agreement is with individual representatives, not parties. As person changes party membership, the coalition can be transferred to new party.

<sup>52</sup> The Team Stronach was excluded from analysis due to its short and marginal role within the period of investigation. It was founded in September 2012 and published a first party manifesto in April 2013.

away of Haider, the BZÖ tried to reposition itself as culturally conservative, yet economically right-wing party. A focus of its economic policy was the demand of a “slim state” with more efficient administrative structures. In public perception the party remained without a clear image or party programme. By the end of the legislative period under investigation, in 2013, it was mainly perceived as milder version of the FPÖ (IMAS 2013). It did not pass the four per cent threshold in the 2013 elections for the *Nationalrat* (Aichholzer et al. 2014).

FPÖ and BZÖ both qualify as Euro-sceptic parties who, however, support the basic idea of European integration. The FPÖ sees Christian-occidental values as the core of Europe’s identity. The party demands a “Europe of Fatherlands” (“Europa der Vaterländer”) (FPÖ Wahlprogramm 2008). They are highly critical of the open border policy within the EU and see the cultural and intellectual essence of Austria endangered (Pollak and Slominski 2002). The BZÖ supports the idea of a core-Europe. They demand more transparency, civic participation and more efficient administration.

The FPÖ and the BZÖ comply with the three criteria of the anti-establishment party’s definition of the six parties under investigation (see 2.3.2). 1) Since its foundation in 1956, the FPÖ criticized the consociational features of the Austrian democracy where the two large pillar parties would form a “cartel” of power (Pelinka 2002: 283). 2) In line with this attack towards established parties, the freedom party clearly complies with the populist feature of framing the main line of conflict as “people” versus elite (Pelinka 2002: 283). Aichholzer et al. (2014) studied the attributes and attitudes of FPÖ voters to understand on which issues the party mobilized their electorate. On the traditional cleavage of the economic left-right and religion, the FPÖ voters share many qualities with those of the ÖVP and SPÖ. 3) Yet on “New Political Issues”, defined as immigration, EU integration and political discontent, the positions differ drastically from those of established parties. In so far, the FPÖ has succeeded in promoting new issues on the agenda and complies with the third criterion of the definition of anti-establishment parties (see also Abedi 2002, Pelinka 2002: 287).

As the BZÖ is a relatively recent and short-lived phenomenon, research on anti-establishment or radical parties often excludes this party from its analysis. It forms part of the sample of opposition parties of this study. Applying the three defining criteria of an anti-establishment party the BZÖ scores on all aspects. The BZÖ was initiated as a split-off from the FPÖ under the driving force of Jörg Haider who structured it in the same way as

the FPÖ. The ideological positions of both parties are very close. Both pushed for the issue of immigration on the political agenda of Austria (Luther 2009). The Alliance for the Future of Austria engages in the people versus elite rhetoric attacking the established parties. In the electoral programme of 2008 the concluding paragraph contains the following statement: „SPÖ und ÖVP haben kläglich versagt, stehen für neue Belastungen, eine unsoziale Politik und haben zwei Jahre Streit, Chaos und Stillstand in Österreich zu verantworten. Daher: Nie wieder Rot-Schwarz!“ [„SPÖ and ÖVP have failed miserably, stand for renewed burdens, unsocial policies and are responsible for two years of dispute, chaos and stagnation in Austria. Hence: Never again red-black!“ translation of the author] (BZÖ Wahlprogramm 2008).

The conservative populist parties have altered the logic of political competition in Austria (Dolezal 2008a). Their strong emphasis of the cultural dimension, especially on the issues of immigration and European integration, forces the other parties to react. The Green party of Austria strongly opposes the culturally conservative of FPÖ and BZÖ and promotes the idea of open society and multi-culturalism. The former pillar-parties take less profiled positions on this dimension of political conflict (Aichholzer et al. 2014: 120).

### ***3.4.2. The party system of Germany***

The party system in Germany was for long characterized by the stable voting success of the two large mainstream parties, the Christian Democratic Union/ Christian Social Union (*Christlich Demokratische Union/ Christliche Soziale Union, CDU/CSU*) and the Social Democratic Party of Germany (*Sozialdemokratische Partei Deutschlands, SPD*). Lees (2012: 550) divides the development of the German party system in two phases: one of concentration of votes and power in the hands of the two people's parties (*Volksparteien*) from the 1950s to 1980s and a second of fragmentation beginning with the establishment of the Greens in 1983 and the PDS in 1990. In the elections from 1961 to 1987 the two main parties managed to continuously assemble over 80 per cent of the votes. Both parties are considered to have had a highly integrative and stabilizing function for German politics and society (Smith 1986). Yet, since the late 1980s a fluid five party system evolved (Niedermayer 2006). SPD and CDU/CSU had to face significant losses in electoral support since the new challenger parties entered the scene. Due to the declining voter support of the two large parties in the 1980s, the German party system has developed in broadly similar terms as the Austrian one, though not embedded in consociationalism.

The SPD roots in the “Allgemeiner Deutscher Arbeiter Verein” from 1863 and was a socialist oriented party representing working class interests.<sup>53</sup> After Second World War, the SPD evolved to one of the two large people’s parties. In the Godesberger Programme of 1959 the SPD turned away from a purely Marxist ideology towards a more moderate stance accepting the concept of a social market economy. With this transition, the SPD joined the CDU/CSU in the middle of the left-right spectrum why Kirchheimer (1966) termed both “catch-all parties” (see also Spier and Aleman 2013: 441). Under the party leadership and government of Gerhard Schröder (1998–2005), the SPD implemented the Agenda 2010 reforms. This economically liberal reform of the German social system alienated the more leftist oriented members and voters within the party (Nachtwey 2007). The SPD is until today confronted with declining voter support – e.g. only 23 per cent in the 2009 general elections and an all-time low in 2017 with 20.5 per cent.

The SPD holds a positive attitude towards EU integration due to its success to establish peace and prosperity and as symbol of emancipation and enlightenment (SPD 2014). Some social democrats criticize the EU as predominantly neo-liberal project that undermines the social welfare states. The SPD demands a harmonization of taxation and minimum standards for social and environment protection within the EU (Ostheim 2003).

The Union parties base their ideological position on an inter-confessional Christian worldview and promoted a social marked economy since its beginnings (Zolleis and Schmid 2013: 416). The CDU was founded at federal level in 1950 linking several regional Christian-democratic movements (excluding Bavaria).<sup>54</sup> In terms of time in office and voter support it has been the most successful party in Germany and terms itself the “people’s party of the middle” (*Die Volkspartei der Mitte*) (BPB 2016). With the increasing secularization of society, the CDU was confronted with the need for reform. Under the party leadership of Helmut Kohl (1973–1998) the party reformed from a party of notabilities to a programmatic membership party strengthening the social and liberal branches (Zolleis and Schmid 2013: 422). Under Angela Merkel (holding party leadership since 2000) the value system of the party was further modernized as in the conception of marriage and family or the strict anti-nuclear power policy following the Fukuyama disaster in 2011.

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<sup>53</sup> The predecessors of the SPD were forbidden under Bismarck for twelve years. After the overturn of the prohibition the party reorganised and settled for the name “Sozialdemokratische Partei Deutschlands” in 1890.

<sup>54</sup> The CSU, which is located in Bavaria only, is the permanent partner of the CDU.

The Christian Social Union founded in 1946 is considered the “sister party” of the CDU in Bavaria as CDU and CSU cooperate as one joint party group in the *Bundestag* since 1949. The CSU is more culturally conservative, as in questions of family and migration policy. It combines social conservatism with an economically progressive stance.<sup>55</sup>

The Union parties supported the idea of European integration from the start on. CDU/CSU were in government responsibility during major steps of European integration, such as the introduction of the Euro under Helmut Kohl and repeated treaty revisions. However, in recent years the CSU has become more critical of the European Union advertising the influence of regions in Brussels and the idea of a “Europe of Nations” (Weigl 2013: 481).

As a third, yet smaller party, the Freedom Party of Germany (*Freiheitliche Partei Deutschlands*, FDP) was founded in 1948 and is the party with the longest time of government participation. In the decades from 1960s to the 1990s, the FDP was termed the “king maker” as it was often in a position where its decision to coalesce determined which of the large parties would take over government after elections (Vorländer 2013: 500). The FDP stands in the tradition of liberalism in the lineage of enlightenment. It traditionally embraced a social liberal and market-liberal position. The FDP strongly supports European integration as the party’s liberal economic views support it. The opportunity to repeatedly participate in government as a junior coalition party had high costs for the party. The required pragmatism in office led to significant volatility in voter support, internal conflicts and programmatic re-orientations (Vorländer 2013: 507). The party lost its unique negotiation position when the Greens entered parliament in 1983 and the PDS in 1990 who could potentially substitute the FDP as coalition partner of the two “people’s parties”.

The second phase of fragmentation of the German party system (Lees 2012: 550), was initiated by the Greens entering into parliament in 1983. This first successful newcomer since the 1950s had evolved out of the social movements protesting for environmental protection (Raschke 1983). Formally founded as a party in 1980, the Greens promoted protection of the environment, civil and human rights and the democratization of society (Probst 2013: 520). The Green party in its early years was a protest party that successfully set post-materialist issues on the political agenda. After German reunification the Greens entered an alliance with the Eastern German *Bündnis '90* in 1993 (since then *Bündnis '90/*

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<sup>55</sup> The CSU held a single party state government in Bavaria since 1966 to date (with the exception of 2008 to 2013 where it participated in a coalition). Its independent organization within the Union party group allows the CSU to be a strong voice for Bavarian interests at the federal level (Weigl 2013: 478).

*Die Grünen*).<sup>56</sup> The continued success strengthened the pragmatic branch within the party with consequences for party organization and ideology (Poguntke 2010: 136). The Greens have in the past two decades frequently participated in government at state level and entered federal government in the coalition with the SPD from 1998 to 2005. The Greens strongly support European integration in that it is conceived to overcome nationalisms and cultural segregation (Probst 2013: 528).

With the reunification of Germany in 1990, a fifth party entered the scene. As follow up to the governing party in the former DDR, the Party of Democratic Socialism (*Partei des Demokratischen Sozialismus*, PDS) was able to establish itself as a significant force in the new *Länder*. As a post-communist successor of the Socialist Unity Party of Germany (*Sozialistische Einheitspartei Deutschlands*, SED), the PDS soon consolidated itself as representing “everything specifically East German” (Poguntke 2012: 4). The presence of the PDS in the new states marked a significant geographical diversity of the party system within Germany for some years. In 2007, the left parties of the new and old federal states, PDS and the WASG<sup>57</sup>, merged to *Die Linke* with nation-wide representation. The Left party is considered the direct successor of the PDS.

The Left party supports the basic idea of cooperation and integration in Europe. However, they demand a fundamental change of the treaties and policies towards a more social, more democratic and more peaceful union. In their party programme of 2011 they see the consequences of the Euro crises as failure of the current system (Die Linke 2011). The Left party is the most Euro-critical party in the German party system in the period of investigation. Yet, they still support the idea of international cooperation. Their criticism is directed to the current form of “neoliberal” economic integration.

Until the time period of investigation, no successful right wing party had evolved in Germany. In so far, the predominant cleavage structuring the German party system was the economical left-right dimension (Dolezal 2008b: 233). Overall, there is a strong pro-European consensus at elite level up to the time period of investigation.

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<sup>56</sup> In the following I use the abbreviation *90/Grünen* for the German Green party. The Austrian environmentalist party is termed *Grüne* in this thesis.

<sup>57</sup> The Agenda 2010 had alienated parts of the voters, members and leadership of the SPD, which formed the new voting alliance “*Partei Arbeit und soziale Gerechtigkeit – die Wahlalternative*” (WASG) in 2005 (Poguntke 2012: 4).



### 3.4.3. Operationalization of independent variables

The previous section has laid out the historical development and ideological positions of the parties in Austria and Germany. This information is relevant for understanding the positioning of each party in the period of investigation. This section summarizes the party positions in comparative view. It starts out with an overview of the status and seat share of the Austrian and German party groups in the period from 2008/9 to 2013. Based on this information each party group is located towards its party type (anti-establishment or regular) and ideological distance on the socio-economic and cultural dimensions of conflict. The parties' positioning is crosschecked with quantitative indicators of existing research.

During the period of investigation from 2008/9 to 2013 the SPÖ and ÖVP formed a governing coalition in Austria and the CDU/CSU and FDP in Germany. Table 3 shows the strength of each party group in parliament in terms of seat share and per cent of votes.

Chamber	Status	Party Group	Seats	Per cent
<i>Nationalrat</i>	Government	SPÖ	57	29.3%
		ÖVP	51	26.0%
	Opposition	FPÖ	34	17.5%
		BZÖ	21	10.7%
		<i>Grüne</i>	20	10.4%
<i>Bundestag</i>	Government	CDU	194	31.2%
		CSU	45	7.2%
		FDP	93	15.0%
	Opposition	SPD	146	23.0%
		<i>Linke</i>	76	11.9%
		<i>90/Grünen</i>	68	10.7%

Table 3: Party groups in the Nationalrat and Bundestag from 2009 to 2013.

The governing parties in Austria held a majority of 55.3 per cent vote share. The grand coalition had been the only option for a two party coalition in light of distribution of votes in the 2008 election. The FPÖ was the third strongest party with 17.5 per cent vote share. The BZÖ, which only split off three years earlier from the FPÖ, and the *Grüne* both formed significant opposition parties with over ten per cent of votes each. The German governing coalition from 2009 to 2013 held a similarly slim majority as the one in Austria with overall 53.4 per cent vote share. It consisted of a dominant partner, the CDU/CSU, with 38.4 per cent votes and a junior coalition partner, the FDP, with 15 per cent. The SPD, one of the traditionally strong “people’s parties” with repeated government experience, was in

opposition in this legislative period with only 23.0 per cent vote share. *Linke* and *90/Grünen* both held a vote share of over ten per cent.

Hypothesis 1 considers the party type of either regular or anti-establishment party an explanatory variable for opposition parties' EU scrutiny behaviour. As explained in the theory section (2.3.2), an anti-establishment party is defined by three criteria: it presents itself as a challenger to established parties, expresses a fundamental divide between the established parties and "the people" in its rhetoric and challenges the status quo in terms of policy and political system issues (Abedi 2002: 555–557). The party type is operationalized as dichotomous variable (yes/no). In the sample under study, only FPÖ and BZÖ qualify as anti-establishment parties within the six parties under investigation (see Section 3.4.1). The categorization of the FPÖ is in line with the approach of the studies by Abedi (2002, Appendix I) and (de Vries and Hobolt 2012).<sup>58</sup>

The second hypothesis concerns the distance between party positions on two dimensions of political conflict (socio-economic and cultural). Measuring party positions has triggered much debate in political science, as they form a crucial variable in research on political parties. Two of the most established publicly available databases are the Chapel Hill Expert Survey (see CHES 2016) and the Comparative Manifesto Project (see CMP 2016). Both have been used extensively in comparative politics studies. Though generally accepted and important for large-n studies, they are also frequently criticized to distort party positions in some countries including Austria and Germany (Pelizzo 2003). Appendix I provides a table with the data on the two party systems from various sources. This small-n study benefits from the possibility of in-depth analysis and can position the party groups in light of the information on the historical development of party systems. In view of the information from Section 3.4.1 and 3.4.2, the most plausible indicator for the economic left-right scale stems from Bakker et al. (2014) for the two countries under study. Here the authors used a vignette technique based on the CHES data to achieve better cross-country comparison of the socio-economic scale. Figure 4 visually represents the location of party groups on the scales (see Appendix I for the data). For this study the relative distance among party groups matter.

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<sup>58</sup> Due to its short-lived nature these studies do not cover the BZÖ.

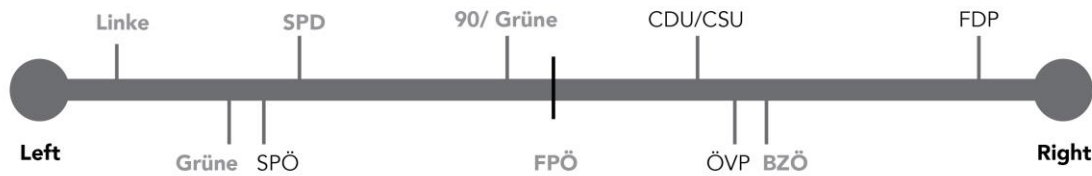


Figure 4: Party positions on the left-right dimension.

The Austrian governing parties, SPÖ and ÖVP, range left and right of centre on the socio-economic scale. This creates some positional distance between them. The opposition parties are also dispersed across this dimension of political conflict. The Green and the BZÖ are both slightly more extreme than either governing party towards the left and right respectively. Thus, they are close to one of the coalition partners, but quite distant to the other. The FPÖ is hard to grasp for the quantitative indicators (Bakker et al. 2015, CHES 2016). Both anti-establishment, BZÖ and FPÖ, parties favour redistributive politics within Austria, as typical for left-oriented politics. Yet, they – especially the BZÖ – demand more efficient state structures and tax breaks in line with economically right-wing positions. In this study the FPÖ is placed centre of the scale and the BZÖ right of centre to account for this discrepancy.

In the German parliament, the pattern of competition on the left-right scale is quite straightforward. Both governing parties range right of centre; the FDP is more extreme than the CDU/CSU. All opposition parties in the legislative period from 2009 to 2013 hold more left-oriented positions than the government. The SPD – similar to the SPÖ – stands mildly left of centre. The German Greens are placed in the centre of the scale. The *Linke* is on the extreme left of the political spectrum. There is more variation on the socio-economic scale than in the Austrian party system.

Fewer indicators exist for the TAN-GAL dimension. The CHES dataset and the study by Franzmann and Kaiser (2006) cover the cultural dimension using a similar definition to the one of this study (see 2.3.2) (Franzmann and Kaiser 2006, Bakker et al. 2015). Their results for Austria and Germany only line up on half of the party groups: the two Green parties, the SPD, CDU and FDP (see Appendix I). For the other five parties, mainly Austrian ones, the quantitative indicators merely served as rough orientation for the placement of the parties on the TAN-GAL scale. They are weighed off in view of the qualitative analysis on the development of the party system (Section 3.4.1 and 3.4.2). Figure 5 locates the parties to give an impression of the distance among opposition and governing parties.

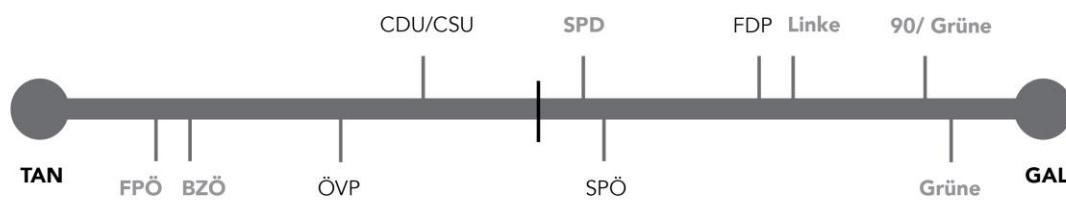


Figure 5: Party positions on the TAN-GAL position.

The location of party groups on the TAN-GAL scale shows a clear pattern in Austria. Opposition parties in the *Nationalrat* challenge the governing parties from both ends of the scale. The governing coalition holds more central positions (SPÖ in the centre, ÖVP leans more to the TAN-pole). The two anti-establishment parties have the most extreme positions on the TAN-pole; the FPÖ being more extreme than the BZÖ. The Austrian Green party is located at the other extreme of this dimension and is the most extreme one of all parties under study towards the GAL-pole.

In Germany, the Green party is the only one with a decisive position on the cultural dimension. It is close to its Austrian counter-part. The other four German party groups range around the centre. The SPD locates in the very middle of the scale. The *Linke* and FDP, who show the strongest conflict on the left-right dimension, coincide on a slightly GAL-position. The CDU/CSU is the only one leaning towards the TAN-pole. The governing coalition, in consequence, does not have a uniform stance on the cultural dimension of conflict. The SPD is placed in between FDP and CDU/CSU holding a similar distance to both. The Greens are the only one with a clear distance to both governing parties.

In both countries the coalition parties differ quite significantly on one of the dimensions of policy conflict. The study assumes that the position of government is represented by the mean of the positions of both coalition partners weighted according to the seat share of each party group. For the voting behaviour and other activities that document the outcome of a decision-making process the governing parties are most likely aligned. Yet, the discrepancy in positions among the coalition partners should show in discourse.

The parties selected for analysis show significant variation on the two independent variables of party type and ideological distance (see Table 4). The differences between the cases allow testing the hypotheses in the logic of the most-similar system design.

	Anti-establishment party	Distance to government on left-right economic scale	Distance to government TAN-GAL scale
FPÖ	Yes	Low	High
BZÖ	Yes	Medium	Rather high
<i>Grüne</i>	No	Medium	High
SPD	No	Rather high	Low
<i>90/Grünen</i>	No	Medium	Medium
<i>Linke</i>	No	High	Rather low

Table 4: Summary of parties' positions on towards the independent variables.

Hypothesis 1 on the role of the party type will be supported, if the two anti-establishment parties are significantly more competitive than all regular opposition parties. The definition of anti-establishment includes an element on policy competition. These party groups are not only determined through their anti-elite rhetorical style, but also the strong difference in terms of policy content on specific policy issues (see Abedi 2002). In consequence, the hypothesis on anti-establishment parties overlaps with the expectation on ideological distance as a driver for EU scrutiny. The case selection still enables to test the different logics of Hypotheses 1 and 2. If the party type is the predominant explanatory factor, BZÖ and FPÖ should differentiate clearly from all other party groups. Their competition would not be limited to certain policy fields. Where Hypotheses 2 on ideological distance has explanatory power, the intensity of competition corresponds to the variation on policy distance to governing party groups. The two anti-establishment parties are no outliers in terms of ideological distance. The Austrian Greens hold a more controversial position to their government on the cultural dimension of conflict. And the Left party is the most competitive one of the sample on the socio-economic dimension. The testing of Hypotheses 2 a and b follows the logic of the method of concomitant variation (Mill 1890).

Hypotheses 2a and b differentiate the competition along the cultural and the socio-economic dimension of political conflict. The party groups under study vary clearly in their positions on these two dimensions. The distance on the socio-economic scale thereby does not correspond to the one on the cultural. The three Austrian opposition parties are overall more distant on the TAN-GAL dimension and the German ones on the left-right scale. There is some variation between the two anti-establishment parties on the two dimensions

of political conflict: the BZÖ is slightly less extreme on the TAN-GAL scale and more competitive on the left-right dimension. This difference between FPÖ and BZÖ should further help to distinguish the explanatory power of Hypothesis 1 and Hypothesis 2.

The two dimensions of political conflict are not equally relevant for each topic. Positions on issues, such as EU integration and migration, have been better explained through conflict on the cultural dimension (Hooghe et al. 2002, Hooghe and Marks 2009). Economic policy, however, usually corresponds more to the classic left-right divide. The explanatory value of the two hypotheses should in consequence vary according to the issues at stake.

This Chapter 3.4 located the positions of party groups in view of the two independent variables of this study: party type and ideological distance. The most-similar system design requires variation on the independent variables. The six opposition parties in Austria and Germany under study allow clearly distinguishing the explanatory power of each hypothesis. There are two anti-establishment parties in the sample (H1). All party groups differ in their ideological distance to the governing parties, both on the cultural as well as on the socio-economic dimension.

So far this Chapter 3 has demonstrated the institutional similarities between the two countries under investigation and the variation and location of party groups on the independent variables. The remainder of the chapter explains the methodological approach.

### **3.5. The methodological approach**

Recent studies on national parliaments' control over EU affairs identified a research gap on the actual practice of EU scrutiny at national level (Raunio 2009, Rozenberg and Heffler 2015). This thesis addresses this gap with a thorough analysis of opposition parties' scrutiny activities in two EU member states. The central method of this thesis is the comparative approach with a small-n set of political parties as research subjects. The study investigates the activities of six party groups in opposition in Germany and Austria in the time period from 2008/9 to 2013.

The advantage of this study is its holistic approach covering various aspects of parliaments' EU scrutiny activities. Most research on legislatures and opposition assesses one channel of influence isolated from the other parliamentary activities. This study covers the legislative

work at committee level as well as the communicative action at plenary level. The dynamic perspective covering committee and plenary stage has several advantages. First, it will show whether the conflict arises along similar dimensions at committee and plenary stage. Second, the comprehensive approach can assess whether parties act coherently in the various venues or whether they focus on a certain type of activity. For example, is the legislative work of motions and votes in committee stage reflected in the communication to voters through plenary speeches? The limited number of cases under investigation allows an in-depth analysis of parliamentary EU scrutiny.

The empirical analysis of the thesis is structured along the two parliamentary channels of influence: the committee level and the plenary level. The formal scrutiny instruments vary for each channel of influence. In consequence, it is necessary to adapt the methodological approach to each channel of influence. The precise methods and data sources are presented at the beginning of each empirical chapter for better readability (see 4.1, 5.1 and 6.1). The precise method and data is presented in direct proximity of the results. This Chapter 3.5 gives a brief overview on the three methodological elements of this study. The common framework presented here assures that the results of each chapter feed into a “bigger picture” of opposition parties’ EU scrutiny.

The analysis combines three methodological approaches for an encompassing understanding of opposition strategies on EU scrutiny: a quantitative analysis, content analysis and interview data. First, the investigation starts out with a quantitative overview on parliamentary activities in Germany and Austria. Recent studies on national parliaments and the EU as well as on opposition have started to assess the parliamentary activities quantitatively (Auel et al. 2015a, Finke and Herbel 2015, Gattermann and Heffler 2015, Loxbo and Sjölin 2016). The data demonstrates the scope of EU scrutiny activities of each opposition party group. The study collected data on those activities that can be quantified, e.g. the frequency and types of (legislative) initiatives and opposition parties’ voting behaviour. Due to the limited number of cases ( $n = 6$ ) the data are evaluated in descriptive terms. The low number of six cases impedes reasonable statistical analysis (Jahn 2013, Agresti and Finlay 2014). At the same time, the limited scope enables a qualitative analysis that is better suited to investigate the motivation of opposition parties’ scrutiny activities. The in-depth qualitative study seems more suitable since this study explores a new angle on EU scrutiny activities, which has been understudied to date (Levy 2008).

The second methodological element is content analysis, which explores the dimensions of conflict among party groups within the two parliaments. This approach is especially relevant to test Hypotheses 2 (a and b) on the two dimensions of political conflict (cultural or socio-economic). Content analysis is defined as "the systematic objective, quantitative analysis of message characteristics" (Neuendorf 2002: 1) of text documents. The method aims at a transparent and inter-subjective way of analysing text. This study builds on the method of framing analysis (Chong and Druckman 2007, Daviter 2007). It investigates both, initiatives at committee level and debates at plenary level, in terms of the framing of EU issues. The EU-related initiatives in the committees under investigation (n = 351) are allocated to a pole of the two dimensions of conflict (TAN-GAL and left-right). The speeches at plenary level (n = 92) are analysed in-depth regarding the difference in framing EU affairs among party groups. The content analysis of initiatives and speeches shows in how far opposition parties present alternative visions on EU policymaking and polity design. In this, the study can contribute to the state of the art. Existing studies showed a lower participation of opposition parties in national parliaments' plenary debates (Rauh and de Wilde 2017). Yet, the actual competition on different visions on EU integration remained an open question.

Finally, interview data complement of the information from quantitative and content analysis, as they give access to the motivation for the use of these instruments. In each member state, members of parliament – in most cases with a specialization on EU issues – were interviewed as well as a number of parliamentary administrators and party groups' staff working on EU affairs. Interviews were conducted with the assurance of the anonymity of the interviewee. References therefore follow the system of abbreviations for "country/ chamber/ political or administrative level/ number", for example "DBTP01" for Germany, *Bundestag*, political level, first interview.

The interviews were semi-structured. Parliamentarians, parliamentary administrators and party groups staff were asked about the inter-action of party groups in domestic and EU affairs, the motivation to support government initiatives and to participate in joint initiatives with governing parties. Members of opposition parties were questioned on own approach and the motivation to cooperate with other party groups. Parliamentarians from governing parties described their perception of opposition party groups and influence on the legislative agenda and government's position. The interviews also served a better understanding of the implementation of formal scrutiny rights of minorities.



The interviews were partially conducted in the framework of the *Observatory of Parliaments after Lisbon* (OPAL) project in the time period between May 2012 and June 2013. The information from the interviews from the project was complemented by two field trips to Vienna and Berlin in September 2016 and October 2016. These focused on the party political dynamic and potential cooperation across party groups, thus, focussing on the research question of this study. For the complementary round seven interviewees in the *Nationalrat* and five in the *Bundestag* kindly made time available. Overall, the study builds on 10 interviews with party representatives or staff from opposition parties and 6 with those from governing parties as well as 10 interviews with parliamentary administrators.

In sum, this study addresses the research gap on empirical analysis of parliamentary EU scrutiny. It triangulates the results from qualitative and quantitative methodological approaches in an in-depth analysis of German and Austrian opposition party groups. This Chapter 3.5 explained the general methodological angle combining quantitative and content analysis as well as interview data. More detailed information on the data sources and their use precedes the results section on each channel of parliamentary influence (see 4.1, 5.1 and 6.1).

## 4. Cooperation at committee level?

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Committees are seen as the heart piece of parliamentary work, where detailed scrutiny by policy experts takes place (Laundy 1989). The committee level is generally understood to operate in a more fact-oriented and cooperative fashion than the floor level (Damgaard and Mattson 2004: 113). In this more enclosed environment – often without public access – lines of party conflict are usually less pronounced. It is considered especially relevant for opposition parties, as they may realize parts of their policy programme in the more confidential committee atmosphere. However, fundamentally competing party interests should clash at the committee level as well. This Chapter 4 investigates opposition parties' parliamentary activities in the committee stage: the stage of document-based legislative scrutiny according to the model of opposition (Section 2.2.3).

Research on national parliaments has primarily investigated formal rules of EU scrutiny at the committee level. A number of studies considered the historical development of European Affairs Committees and their special role and function in parliament (Bergman 1997, Gattermann et al. 2015) Only few publications assessed the activities of parliaments in their analysis (for an overview see Gattermann et al. 2015). In consequence, this study introduces the methods from legislative and opposition studies to investigate parliaments activities on EU affairs. The focus is on two types of activities: legislative proposals or other formal initiatives at committee level as well as the voting behaviour of opposition parties.<sup>59</sup>

Researching opposition's activities at committee level starts out from a puzzle: Why do opposition MPs invest their time in drafting bills and motions that will be voted down by the majority? The direct policy effect is negligible. This study assumes that oppositions' legislative activities at committee level are an attempt at influencing the legislative agenda (indirect policy influence) and indicating the own position (re-election benefits). Russell et al. (2016) have shown that parliamentary actors are motivated by more than just legislative influence when they draft bills or amendments. Initiatives from the opposition in the UK are attempts at information seeking, signalling the own position to the government or voters

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<sup>59</sup> Debates at committee level are not included in the analysis, as parts of the meetings are not public and the minutes were not accessible for the two chambers. Chapter 5 on plenary debates investigates the communicative dimension in-depth.

or demonstrating weaknesses of the government draft bill. Bräuninger and Debus (2009) see draft bills of opposition as an attempt of agenda setting. It is an opportunity to present the own policy alternatives to fellow MPs and the voters.

Opposition parties take a proactive stance when they issue initiatives at committee level. There is a second crucial element of committee work, which is of re-active nature: voting. Opposition parties regularly support legislative bills from the governing parties. Here we are confronted with a similar puzzle as on opposition initiatives: Why do opposition parties vote in favour of governmental bills even though their votes are not necessary to build a majority? A range of studies has shown that legislation is regularly passed with broad support from opposition parties in European states (Damgaard and Mattson 2004: 121, Kaiser 2008, Andeweg 2013, Moury and de Giorgi 2015: 2). The support of opposition in votes on governing parties' proposals is an important indicator of cooperation or consensus at committee level (Damgaard and Mattson 2004: 118, Curini and Zucchini 2015, Spreitzer and Timmermans 2015, Louwerse et al. 2016). Supportive votes may result from consensus or cooperation during the committee negotiations. Building on this research, this study assumes that votes *against* a government proposal signal competition by opposition parties.

This Chapter 4 focuses on the research question: What factors determine in how far party groups in opposition cooperate or compete with governing parties in their activities *at committee level*? It tests the two hypotheses on the competitive or cooperative behaviour of opposition parties, which were developed in the theoretical chapter (see Section 2.3.2). These assume that parties with an anti-establishment stance and distant policy positions from the government use a more competitive strategy. Competition at committee level can take the form of motions and bills with alternative policy perspectives as well as a lack of support in votes.

This Chapter is structured in four parts. The following Chapter 4.1 presents the methodological approach. Chapter 4.2 introduces the scrutiny logic in the committees in practice. Chapter 4.3 presents the results on opposition initiatives and voting. The quantitative analysis of opposition behaviour (4.3.1) is paired with qualitative investigation through content analysis (4.3.2) and interviews in both chambers (4.3.3). The final Chapter 4.4 concludes.

## **4.1. Methods and case selection for the analysis of the committee level**

This Chapter 4 investigates competition by opposition parties at committee level. To do so it focuses on two types of activities of a selected number of committees in the *Bundestag* and *Nationalrat* between 2008/9 and 2013: motions and voting. The methods build on existing legislative and opposition studies. This Chapter first explains the methodological approach on the analysis of motions and voting (4.1.1). The chapter finally explains the selection of a few committees for the investigation (4.1.2).

### ***4.1.1. Measuring scope, quality and motivation for EU scrutiny***

Committees are conceptualized as the first step in the parliamentary scrutiny procedure in the model on opposition in national parliaments (Section 2.2.3), as they engage in the detailed scrutiny work on incoming EU documents, bills and motions. This section explains the methods for measuring competition and cooperation at committee level. The analysis of EU scrutiny at committee level proceeds in three steps. First, the chapter provides a quantitative overview of initiatives and voting as an indicator for the scope of opposition activities. Second, the analysis assesses the policy areas and dimensions of conflict (socio-economic or cultural) to indicate *how* opposition parties compete with the government. Finally, the chapter draws on interview data for both parliaments to better understand the extent of actual cooperation among party groups of different statuses. The qualitative analysis incorporates data on initiatives that were issued jointly by governing and opposition parties. Even though these are rare, they could indicate pre-negotiations ahead of committee meetings and true cooperation across the aisle. The remainder of this Section 4.1.1 explains the three steps of analysis in greater detail.

The starting point of the analysis is a database on the activities of selected committees in the two parliaments from 2008/9 to 2013 (for the selection please see Section 4.1.2). The first step of analysis grasps the extent of EU scrutiny activities. On the one hand, competition can be indicated by the frequency of motions (Finke and Dannwolf 2013, Auel et al. 2015a, Finke and Herbel 2015). The number of initiatives (of different document types) can indicate the attempt to influence the legislative agenda and to formulate counter-visions to government initiatives. On the other hand, the database provides information on the voting behaviour of opposition parties. Here supportive votes are understood as indicator of cooperation or consensus (Damgaard and Mattson 2004, de Giorgi and

Marangoni 2011, Louwarse et al. 2016). The number and content of motions stemming from parties in opposition are accessible through the committees' websites or parliamentary archives (Bundestag 2017, Nationalrat 2017). Activities in domestic affairs (in the committees on economy and on social affairs) serve as reference point for competition on EU issues for the two quantitative indicators.

In both parliaments, all motions and legislative bills are voted upon in the committee. Records of voting behaviour were accessed through the committee reports on their proceedings (Bundestag 2017, Nationalrat 2017). Information on each initiative includes: the date, the parliament, the committee, the document type, the initiating party group, the voting behaviour of each party group,<sup>60</sup> the outcome of the vote and whether it is related to EU affairs. The analysis of votes focuses on government legislative bills to understand the level of support for policymaking by the opposition parties. Table 2 (4.2) demonstrates that governing parties most often use the document type of legislative bills.<sup>61</sup> Law making is arguably the most important activity in terms of policy influence. In the *Nationalrat*, MPs are required to vote in favour or against an initiative. In the *Bundestag*, they have the additional option of abstention.<sup>62</sup>

The scrutiny of EU affairs is not confined to EACs only. Thus, the database needs to be sensitive to EU-related initiatives in all committees under investigation. The relation to EU affairs was coded manually for each initiative in view of the title and introductory five sentences of the motion. A motion with any reference to the EU level was coded as EU-related in its introductory section. This can take the form of a request towards government to initiate legislation at EU level, implementation of EU legislation, a transposition or reaction to a judgement from the CJEU.

Large-n quantitative studies often use frequencies of initiating scrutiny or legislative drafts as indicators for active parliamentary scrutiny (Bräuninger and Debus 2009, Finke and

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<sup>60</sup> Voting was coded in view of the document stemming from the original initiator of the motion. Often the actual vote is on the recommendation of the committee, not the motion itself. Where the committee recommended declining the motion, the votes were coded inversely. E.g. the committee recommends declining the motion by opposition party X. The recommendation was supported by the governing parties and opposed by the minority parties. In this case the database notes negative voting of government parties on the initial motion (0) and positive by the opposition parties (1).

<sup>61</sup> The Austrian governing parties also participate in opinions and reasoned opinions towards the European Commission. This format is not investigated in terms of oppositions' voting behavior, as there is no matching information on the Bundestag.

<sup>62</sup> In Germany, the *Bundesrat* has the right to co-decide on almost 40 per cent of the legislation. If opposition has a majority in the upper house, it will be able to negotiate compromises that will be reflected by more supportive votes in the *Bundestag*. The opposition only achieved a majority in the *Bundesrat* towards the end of the legislative period, which should not influence the results much.

Dannwolf 2013, Auel et al. 2015a). This analysis starts out from the frequencies with which opposition parties engage in the committee activities. Following Hypothesis 1 and 2 we would expect more initiatives from anti-establishment parties and ideological distant ones (see 2.3.2). For this study, the small number of cases and limited time period require (and enable) a more in-depth analysis of parliamentary activities beyond mere frequencies. Frequencies form as a starting point (step 1 of the analysis), but do not represent a sufficient indicator for competition and cooperation of opposition parties.

The second step of the analysis considers the topics and dimensions of conflict in initiatives. On which issues and angle does opposition challenge the governing parties? As a content analysis is a time intensive approach, the second step of analysis focuses on EU-related motions. The text corpus for the content analysis of motions consists of the 351 initiatives that have been manually coded as EU-related from all seven committees. The analysis employed computer-aided manually coding using the MaxQDA software. First, I coded the general policy field of each initiative. The policy areas inform on agenda setting activities of opposition parties and allow to understand whether Hypothesis 2a (left-right dimension) or Hypothesis 2b (cultural dimension) should become relevant in the framing activities of party groups. Section 2.3.2 has defined scope conditions for each hypothesis based on the policy area under scrutiny. The coding of policy fields was oriented at the European Parliaments committee structure to define an abstract reference point. Hypotheses 2a and b argue that two dimensions of conflict are important to explain competition by opposition parties: their positional distance on the socio-economic as well as on the cultural dimension of policy conflict. Questions on the allocation of competences and enlargement of the EU should better be explained through the cultural dimension of conflict. The socio-economic aspects of EU policymaking, however, should be driven by the left-right logic. To answer Hypothesis 2 (a and b) each EU-related initiative is allocated to the TAN or GAL as well as the left or right pole.<sup>63</sup> At this stage of the analysis, the initiatives are only coded towards one of the poles without a more detailed frame analysis. The content analysis is too time intensive to analyse all initiatives in depth. The framing analysis follows the logic of the scheme of analysis of Chapter 5. Section 5.1.1 and the Codebook in Appendix IV explain the specific frames of each dimension of conflict in detail. Chapter 5 investigates the communicative strategies in more detail.

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<sup>63</sup> Some initiatives are of rather technical nature or argue for policy solutions, such as energy security, that are of general nature and escape the logic of both dimensions. If a proposal could not be related to either dimension it was coded as “other”.

Finally, this chapter relies on interview data with parliamentarians and administrative staff in both parliaments (4.3.3). Only interviews shed light on informal cooperation and the nature of the preparation of committee sessions and joint initiatives.<sup>64</sup> Section 4.3.3 on consensus or cooperation among party group is complemented with data on the few instances where party groups joined forces to initiate a motion. These joint initiatives are rare, but could be an important indicator of true cooperation before or during the committee stage.

#### **4.1.2. Selection of committees**

Research on voting in parliaments has shown that decisions are very frequently made by consensus (Moury and de Giorgi 2015: 2). It is therefore difficult to establish in abstract terms what the reference point for a “normal” level of consensual decision-making would be on EU affairs in the *Bundestag* and the *Nationalrat*. The thesis will use domestic affairs within the same parliament as the reference point. The following Section 4.1.2 explains the case selection of the committees within each parliament.

The empirical analysis focuses on seven committees in Austria and Germany: the European affairs committees (two in the *Nationalrat*, one in the *Bundestag*), the Committees of employment and social affairs and the committees dealing with economic questions. The choice of the three types of committees is based on the idea to cover those committees, which are affected to varying degrees by EU integration. The EACs obviously focus exclusively on EU affairs, the Committees of Economy are strongly affected by EU law making, while the policy area of Employment and Social Affairs is predominantly under domestic control (see Section 4.1.2). As the *Nationalrat* has a main and a sub-committee on EU affairs, the study includes a total of seven committees for the empirical analysis (see Table 5).

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<sup>64</sup> Please see Chapter 3.5 for the number of interviews and the line of questioning.

No.	Chamber	Committee
1	<i>Nationalrat</i>	<i>Hauptausschuss</i>
2	<i>Nationalrat</i>	<i>Ständiger Unterausschuss in Angelegenheiten der Europäischen Union</i>
3	<i>Nationalrat</i>	<i>Ausschuss für Arbeit und Soziales</i>
4	<i>Nationalrat</i>	<i>Ausschuss für Wirtschaft und Industrie</i>
5	<i>Bundestag</i>	<i>Ausschuss für die Angelegenheiten der Europäischen Union</i>
6	<i>Bundestag</i>	<i>Ausschuss für Arbeit und Soziales</i>
7	<i>Bundestag</i>	<i>Ausschuss für Wirtschaft und Technologie</i>

Table 5: Committees selected for investigation.

The case selection balances out the difficulty, which arises from the different ways of processing EU affairs within the two parliaments. In the *Nationalrat* a main committee and an EU sub-committee hold the sole responsibility to scrutinize EU affairs ex-ante. In the *Bundestag*, EU affairs are “mainstreamed” to regular specialized committees and the EU affairs committee has only a coordinative function. The *Bundestag*’s economy, budget and legal committee were involved in the decision-making on the Euro crisis (Höing 2015b). Thus the case selection of this study covers one of the committees that played a central role in crisis management. Major conflicts on EU integration should also translate into the EAC.

## 4.2. The practice of EU scrutiny at committee level

This Chapter 4.2 sets the scene with a descriptive overview on initiatives in the committees under study. The practice of EU scrutiny in national chambers has not been investigated thoroughly yet. This section precedes the analysis of individual party groups strategies to understand the context of opposition parties’ activities. It starts out with a quantitative assessment of scrutiny activities and then complements these findings with interview data.

Figure 6 shows how many initiatives in each committee were issued and how many of these were related to EU issues. It includes all types of initiatives, such as legislative bills and statements, and covers all party groups of the two parliaments.



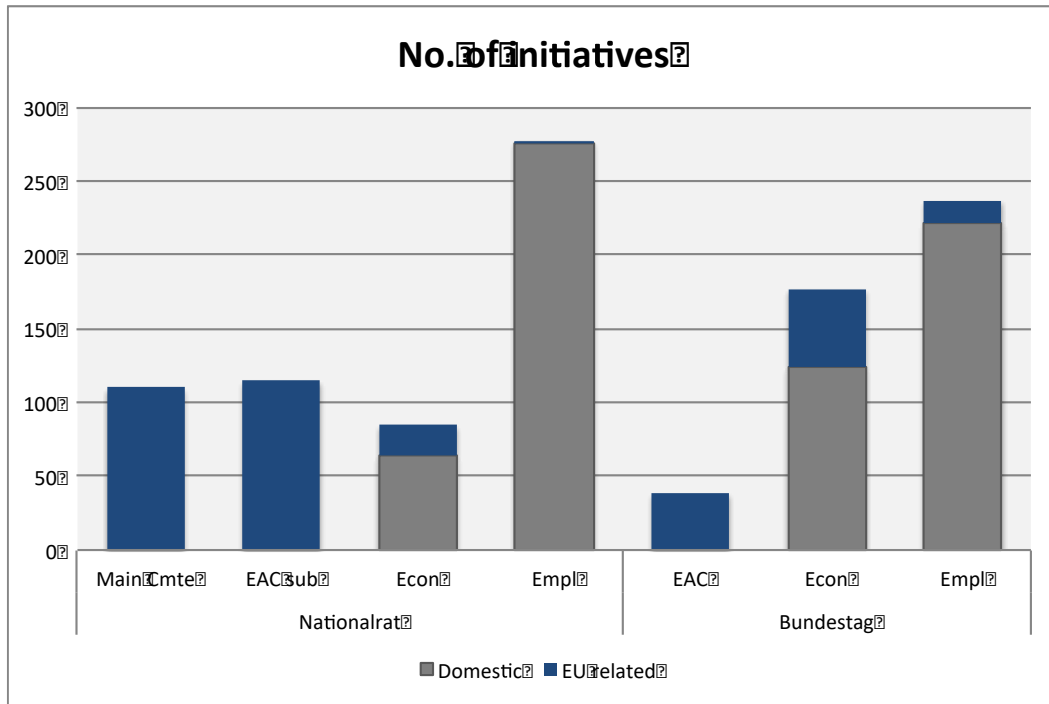


Figure 6: Number of initiatives in the seven committees under investigation from 2009 to 2013.

In the legislative periods from 2008/9 to 2013 party groups issued a total of 1044 initiatives in the seven committees of the two chambers under investigation. 351 initiatives thereof concerned EU issues.

There are strong differences in the frequency of initiatives received by committees: Their number ranges between 39 motions in the German EAC to 277 initiatives in the Austrian Committee for Employment and Social Affairs. The two EACs deal exclusively with EU issues. Both economy committees are confronted with some EU issues, whereas the social committees largely focus on domestic affairs. Figure 6 reflects the different styles of processing EU affairs in the *Bundestag* and the *Nationalrat* (Gattermann et al. 2015). In Austria, sectoral committees are less affected by EU issues than in Germany. Even the committee for economy only receives 21 initiatives with a link to EU matters over the course of four years, despite the fact that its policy field is object to strong interference from EU level. For the *Bundestag*, the model of mainstreaming shows in the EU-related motions on the agenda of the committee for economy (with 53 initiatives). The German Committee for Economy is confronted with a higher number of EU-related initiatives than its EAC. The mainstreaming of day-to-day EU policymaking shows its effect.<sup>65</sup> The different styles of processing have an important consequence for the involvement of the

<sup>65</sup> We can assume that most EU-related initiatives in the *Nationalrat* are covered in this analysis. For the *Bundestag*, the results are limited due to the case selection. A significant share of EU scrutiny is taking place in committees not investigated in this sample.

plenary on EU affairs: The Austrian EAC uses its right to vote on EU-related issues in place of the plenary. Day-to-day EU policymaking, in consequence, does not arrive on the plenary agenda (see also Chapter 5.2.1).

Table 6 disaggregates the overall frequency of initiatives by document type and status of the initiator (government or opposition).<sup>66</sup> The different use of the parliamentary instruments explains the focus in the analysis in Chapter 4.3.<sup>67</sup> It differentiates between the ex-ante control over the own government, the ex-post stage of transposition and the ex-ante involvement with the Commission (opinions and reasoned opinions) (see Section 3.3.2). The data informs on two aspects: The ex-ante or ex-post involvement of each committee and which instrument is used by the governing or opposition party groups.

		Austrian <i>Nationalrat</i>				German <i>Bundestag</i>									
		EAC main		EAC sub		Economy		Social		EAC		Economy		Social	
		Gv	Op	Gv	Op	Gv	Op	Gv	Op	Gv	Op	Gv	Op	Gv	Op
Ex-ante/ own gv	Resolution/ mandate*	7	68	12	38	–	–	–	–	–	–	2	3	–	1
	Statement or motion	3	29	21	30	–	2	–	–	8	26	3	32	–	10
Ex- post/ own gv	Legis. proposal	–	–	–	–	17	–	–	–	7	1	15	–	1	3
	Internat'l agreement	–	–	–	–	2	–	1	–	–	–	–	–	–	–
Ex- ante/ Com	Opinion	2	1	12	–	–	–	–	–	–	–	–	–	–	–
	Reasoned opinion	–	–	2	–	–	–	–	–	–	–	–	–	1	–
Total		12	110	47	115	19	21	1	1	15	42	20	53	2	16

Table 6: Types of documents of EU-related initiatives in the Nationalrat and Bundestag from 2009 to 2013. Gv = government, op = opposition, Com = Commission \*For Austria the category codes mandates; for Germany, resolutions.

The differentiation by document type shows that governing and opposition parties use instruments to varying extent. It also emphasizes the different roles of each committee within the two chambers. All opposition parties focus on the ex-ante scrutiny of the own government. In Austria, the ex-ante scrutiny of the government – mainly in form of mandates (*Stellungnahmen*) and other statements – takes place mostly in the two EACs.

<sup>66</sup> Table 6 does not differentiate initiatives whether government or governing majority in parliament initiated a motion. It is not relevant for the analysis of opposition parties' competitive or cooperative strategies.

<sup>67</sup> The data collection ignores the acknowledgement of a report (*Kenntnisnahme*) or a declined motion (*abgelehnter Antrag*) and government decree (*Verordnungen*), as they either repeat a prior decision or are of little relevance for party competition.

The Main Committee on EU Affairs, which holds the responsibility for the European Council, receives more frequently the most binding form of mandates than its sub-committee. Opposition actively uses the Main Committee as a forum for their initiatives. In the *Bundestag*, most of the initiatives in the ex-ante stage of the parliamentary work are motions (*Anträge*) by opposition parties. The more binding form of a resolution is barely used. All three *Bundestag*'s committees under investigation are involved in this form of ex-ante EU scrutiny; the EAC and the Economy Committee both to an equal amount with 34 and 35 motions respectively.

For the ex-post stage we see an almost reversed logic in the processing of EU affairs. In the *Nationalrat*, the Economy Committee and the Employment Committee deal with implementation of EU decisions into national law. They dealt with specific legislative proposals and a few approvals of international agreements that touched upon EU issues (see Table 6). Neither of the EACs faced actual legislative initiatives in the ex-post stage during the period of investigation. In the *Bundestag*, the economy committee dealt with most legislative proposals, followed by the European Affairs Committee. Opposition parties do not attempt to promote alternative legislative proposals in this stage of the policy cycle. The lack of competition by opposition in the ex-post stage underlines the relevance of parliamentary involvement in the ex-ante stage of EU scrutiny (see Auel and Benz 2005).

Finally, parliaments have the opportunity to directly address the European Commission through either the Early Warning Mechanism or the Political Dialogue. Table 6 shows that the contact to the European Commission is in the hands of the governing parties. The *Nationalrat* sent 14 opinions in the Political Dialogue and two reasoned opinions. The *Bundestag* sent one reasoned opinion in this channel of communication in the time period from 2009 to 2013. This channel of influence is not relevant for an analysis of opposition's strategies.

The quantitative assessment of committee activities is complemented with the qualitative analysis through interviews regarding the practice of EU scrutiny. This study chose the time period post-Lisbon, as both parliaments revised their formal rules on EU scrutiny in reaction to the reformed EU treaty (see Chapter 3). This section analyses the interview data for a more detailed account of information access and agenda setting by opposition parties post-Lisbon. The focus is on the scope of influence for opposition parties.

Interview partners in both countries have acknowledged the impact of the institutional innovations in consequence of the Lisbon Treaty on the scrutiny of EU affairs (see Section 3.3.2). In the *Nationalrat*, members of a government party explain that the minority rights in EU affairs have an anticipatory effect. The majority parties act more cooperatively on agenda setting or information access in order to avoid the use of formal complaints by minority parties (AUNRP01). The EAC agenda is negotiated in a cross-party meeting. A weekly meeting of party advisors serves the clearance of organisational matters around the monthly EAC meetings (AUNRP01, AUNRP02). While the agenda is still a point of controversies and intense negotiations, opposition proposals are all included at some point in time. Often it requires about a three-month notice before an item is included on the EAC sub-committees agenda (AUNRP01, AUNRP02). Though opposition has an influence on the committee agenda, the initiatives filed here do not appear on the plenary agenda. The EAC regularly makes use of its right to vote instead of the plenary.

One consequence of the Lisbon Treaty was the revision of the fully automatized online database where the government feeds in all EU-related documents that it is required to provide to parliament (see §31, EU-InfoG). The database became fully functional only towards the end of the legislative period under investigation (AUNRP02). Interview partners of an opposition party described a learning process by the ministries on the information they are now legally bound to include on the database and share with parliament. By the end of 2012 the information is readily available (AUNRP02). Interviewees from all party groups evaluated the database as very helpful for EU scrutiny. This information implies that information access was still challenging during the period of investigation.

This positive evaluation of opposition parties' rights in EU affairs stands in stark contrast with the evaluation of government-opposition relations to domestic issues in Austria. Opposition MPs from the committee of economic affairs showed frustration with their limited influence on the committee agenda. According to them, most committees of the *Nationalrat* often adjourn (*vertagen*) motions by opposition. In consequence, the initiatives by opposition are neither addressed in the committee reports nor do they make it to the plenary where they could gain public attention (AUNRP03, AUNRP05). The data reflected this lack of influence for opposition in the low number of opposition initiatives in the Committee of Economy (see Figure 6 above). The adjournment undermines the formal agenda setting power of minorities in the *Nationalrat*.

In the *Bundestag*, MPs witness a *de facto* strengthening of the parliament vis-à-vis the government since the court judgement from June 2009 (Bundesverfassungsgericht 2009). The government is more attentive to the position of the *Bundestag*. Due to the increased salience of EU issues and a learning process among MPs, the parliament more frequently uses resolutions on EU matters (DBTP04, DBTP10). The data collection of this study showed still rather limited involvement with six resolutions on EU issues during the period of investigation (see Table 2, Chapter 4.2). However, not only issuing resolutions or statements increased, but also the information access important to opposition parties (DBTP07).

The EAC is described as “a victim of its own success” (DBTP07). Through mainstreaming of EU affairs, the committee has lost influence within the *Bundestag*. Some members of the EAC regretted this development in the decision-making processes on the Euro crisis where the budget and legal committees took main responsibility (DBTP07). One MP of the governing parties describes the EAC as a weak committee with little influence on policy outcomes (DBTP12). On the other side, the European Affairs Committee still enjoys a relatively high status due to its respect and access to the international level. MPs in the EAC have an additional travel budget and frequently receive visits from other parliaments. According to one interview partner, this recognition and access to international networks is attractive to some MPs (DBTP10).

The agenda of the *Bundestag*'s EAC is negotiated in a cross-party meeting of the parliamentary secretaries (*Fraktionsgeschäftsführer*) similar to the arrangement in Austria. Opposition parties may threaten to use minority protection rights in order to push an issue onto the agenda (DBTP10). Interview partners describe the atmosphere in the EAC as trustful and constructive though proper cooperation across parties is rare. There is a high consensus on basic principles on EU integration among all five party groups in the period of investigation (DBTP12, DBTP04).

Both parliaments experienced better opportunity structures for EU scrutiny in the aftermath of the Lisbon Treaty. For opposition parties, the access to agenda setting in the European Affairs Committees is an important benefit of the revisions of secondary legislation and parliamentary rules of procedures after Lisbon. The access to information was also evaluated positively now. In Austria, opposition's influence on the plenary agenda is very limited though.

The review on the practice of EU scrutiny in the committees of the *Nationalrat* and *Bundestag* delivers three important context factors for the analysis of party strategies. First, the analysis needs to be sensitive to the document type. Governing parties regularly use legislative bills; yet, opposition mainly issues initiatives of less binding nature. The ex-ante scrutiny of resolutions, statements and motions is the most important for an analysis of proactive initiatives by opposition parties. Opposition does not use ex-post control or the EWS. Second, the EACs in Austria are the focus of EU scrutiny, whereas the German parliament diffused the activities of government and opposition parties to sectoral committees. Initiatives on EU affairs do not arrive on the plenary agenda, as the EAC often uses its right to vote instead of the plenary. Third, the Early Warning Mechanism and the Political Dialogue do not qualify as a channel for voicing opposition concerns and are largely excluded from further analysis.

### **4.3. Results on cooperation and competition at committee level**

This Chapter 4.3 presents the results on competition and cooperation at committee level in the German and Austrian parliaments. The first Section 4.3.1 shows the scope of opposition parties' activities in initiatives and voting (4.3.1). The motions from opposition parties on EU issues are further investigated by content analysis (4.3.2). Finally, the information from interviews with MPs and clerks at both chambers complements the analysis of the committee level (4.3.3).

#### ***4.3.1. The scope of opposition parties' activities***

The prior section assessed the processing of EU affairs at committee stage in the two parliaments under investigation. In this Section 4.2.2 the interest is in the initiators of these motions, the actors driving the scrutiny process. As a first step of the analysis, this section shows the results on the scope of activities in quantitative terms. It considers the number of motions on domestic and EU issues per party group as well as the voting behaviour of opposition parties. The first step of the empirical analysis tests the expectations formulated in Hypotheses 1 and 2: Do anti-system parties and positional distant ones show an increased frequency of motions and less support in votes?

Studies have used the frequencies of initiatives as an indicator of active parliamentary scrutiny (Finke and Dannwolf 2013, Auel et al. 2015a). This study considers a high number

of initiatives from opposition parties as a first indicator for competition in EU scrutiny. Figure 7 gives an overview of the share of EU-related motions compared to those on domestic issues in the committees of economy and social affairs. The domestic initiatives and those stemming from governing parties are included as a reference point for opposition activities on EU matters (see Section 4.1.1). The figure includes legislative bills as well mandates, resolutions, statements and motions. The coalition parties initiated all legislative proposals and motions jointly in both chambers.<sup>68</sup> The activities of the governing coalitions are included in Figure 7 as a reference point. Did opposition parties issue more or less initiatives than the government within the committees under investigation? Comparing opposition activities to each government renders the results more comparable between the two chambers than variation in absolute numbers.

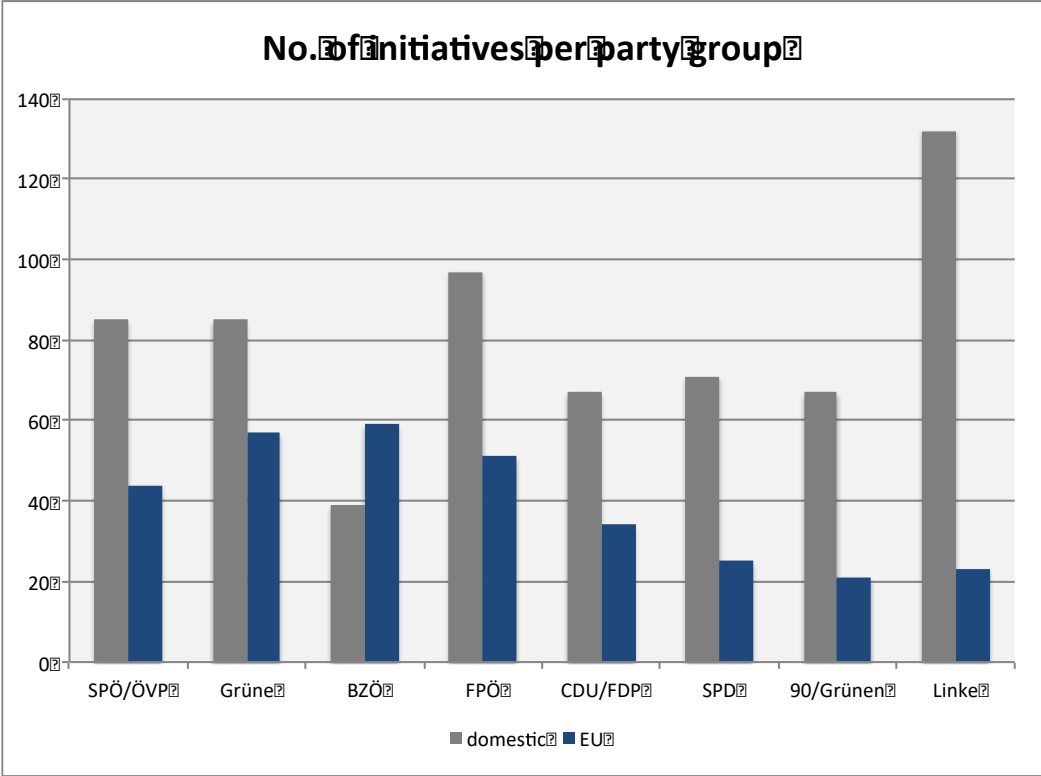


Figure 7: Number of initiatives per party group in committees from 2009 to 2013.

Figure 7 shows quite some variation among party groups on their scrutiny activities towards domestic and EU issues. Thus, do opposition party groups show different patterns of activity on EU than on domestic issues? As the analysis covers the committees on economy and social affairs, the domestic issues in these two committees should show competition along the left-right dimension (see 2.3.2). For EU affairs, the issues debated

<sup>68</sup> All other motions with more than one initiator were excluded from this Figure 7, as they cannot be allocated to a single actor. They will be discussed separately in Section 4.3.2.

might relate to socio-economic or EU integration and identity-matters. The competition of opposition parties could thus oscillate between left-right and TAN-GAL dimension of conflicts. The second step of the content analysis identifies the policy areas that the EU initiatives address.

Overall, the quantitative analysis does not render clear-cut results towards either hypothesis. However, one can see a few tendencies. Most opposition party groups roughly match the level of activity of their governing coalition on domestic issues. The German Left party outnumbers the government initiatives in these committees. And the BZÖ initiated significantly less domestic motions than any other party group. This reflects the strong focus of the Left on social and economic affairs. They hold the most extreme position of the sample on the left-right dimension. The BZÖ, on the other hand, locates close to the governing parties on the socio-economic scale.

The frequency of EU initiatives shows less variation within each chamber than on the domestic domain. The difference of the Left and the BZÖ on domestic issues is not reflected in their activities on EU affairs. Interestingly, the two anti-establishment parties do not differ significantly from the regular party groups in terms of numbers. They do not make a strong case to push EU issues on to the agenda through a high number of initiatives in the European Affairs committees. Hypothesis 1 expected a more competitive approach on EU issues.

The results on the frequency of initiatives on EU affairs relate more to Hypothesis 2b on competition on the cultural dimension. The Austrian Green party, the BZÖ and FPÖ all three initiate more motions than the governing parties. The three opposition parties of the *Bundestag* in reverse initiate fewer motions than the coalition partners. All three Austrian parties are significantly more distant to their government on the TAN-GAL dimension than their German counter-parts. The content analysis in Section 4.3.2 will shed light on the policy areas addressed in the initiatives and explain the relevance of the dimensions of conflict.

The second aspect of committee work evaluated in this Section 4.3.1 is the voting behaviour of opposition parties. Voting differs from initiatives due to its reactive nature. Opposition parties are forced to take position towards other party groups propositions in votes. Many authors have documented a high level of consensual decisions in formal votes in parliament (Kaiser 2008, Moury and de Giorgi 2015). The support of opposition for



government proposals is an indicator for collaboration among opposition and governing parties. The analysis of voting behaviour of this study focuses on the initiatives of the government. The information on the voting behaviour on domestic issues serves as comparative measure to understand the difference to EU-related scrutiny (see Section 4.1.1).

Figure 8 shows the share of supportive votes by parties in opposition for government proposals on domestic issues (Austria: n = 68, Germany: n = 54) and on EU-related draft legislation (Austria: n = 16, Germany: n = 23).

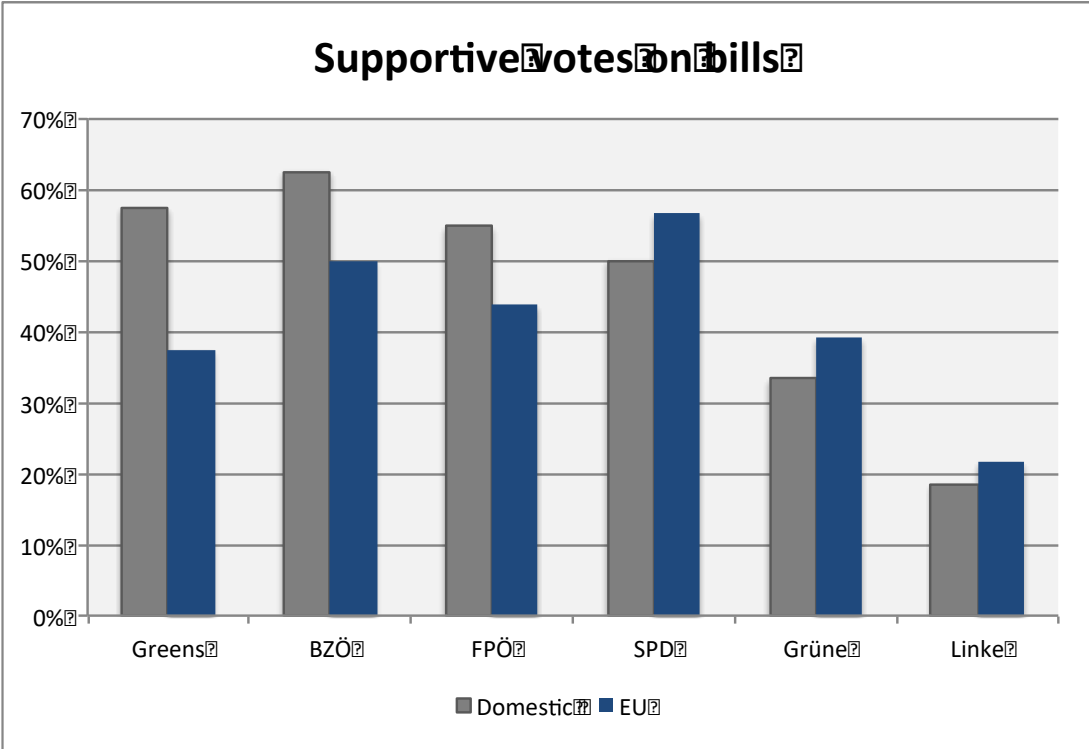


Figure 8: Supportive votes on government legislative bills in domestic and EU affairs.

Consensus is present but ranges “only” around 50 per cent in the overall average of all party groups. In both chambers the votes indicate conflict with the governing parties for a significant share of legislative proposals.

Hypothesis 1 on the relevance of the party type does not find support in the analysis of voting behaviour. Hypothesis 1 expected that anti-establishment parties would vote less supportive as they employ a principled competitive strategy towards the governing parties. Despite the fact that anti-establishment parties build their electoral vehicle around the vehement criticism towards the incumbents, BZÖ’s and FPÖ’s voting behaviour does not differ from that of other party groups. The two anti-establishment parties do not withdraw their support in votes on domestic or EU issues.

The variation on support in voting roughly reflects the difference in positions on the two dimensions of conflict (H2). In the social and the economic domestic issues, the Left party is the most distant to the government and the most competitive in voting. The three Austrian opposition parties, close to the governing coalition on the left-right scale, are much more supportive on these domestic issues. For EU affairs, the TAN-GAL dimension is more relevant to explain the voting behaviour. Here the Austrian Greens are the most distant and competitive ones. All three Austrian opposition parties are less supportive on EU affairs than on domestic issues. The SPD and German Greens are more supportive on EU issues than on domestic ones.

In a nutshell, the results on motions and voting do not lend support to Hypothesis 1. Competition on EU affairs is better explained by the cultural dimension of conflict for the frequency of initiatives as well as voting behaviour (H2b). The overall frequencies are useful as background information, but cannot answer the research question yet. Overall, the mere scope of activities gives only limited account of the opposition strategies at committee level. The numbers do not inform whether opposition delivers alternative policy proposals with a qualitative difference to the government. The following Section 4.3.2 proceeds to investigate the quality of the positional differences for this reason.

### ***4.3.2. The dimensions of conflict of opposition initiatives***

This Section 4.3.2 investigates the content of opposition initiatives on EU affairs for a better understanding of the quality of competition on EU affairs. The content analysis of the motions identifies the lines of political competition within each parliament (Hypotheses 2 a and b). The section proceeds in two steps: First, each motion is assigned a topic; second, it is allocated to a dimension of conflict. This more detailed analysis of motions focuses exclusively on EU-related initiatives.

In a first step, the content analysis gives a brief overview of the topics that were addressed in the committees. This information is necessary to understand whether Hypothesis 2 a or b should become relevant for the explanation of opposition activities. Socio-economic issues should be explained by the left-right scale (H2a); EU integration and identity-related topics by the cultural dimension (H2b). Furthermore, the policy fields inform on agenda setting approaches by opposition. If an opposition parties is significantly more active on a policy area than the government or other opposition parties, this indicates an approach to advance this topic on the legislative agenda. Table 7 (for the *Nationalrat*) and 8 (for the *Bundestag*)

inform on the five most frequent policy issues that were addressed in motions in each chamber (for a complete list see Appendix II). All types of documents are included in the analysis.

Policy field	SPÖ/ÖVP	Grüne	BZÖ	FPÖ	Joint initiatives	Total
1 Crisis	6	19	16	15	2	58
2 Migration	6	8	10	6	0	30
3 Energy	7	11	5	0	2	25
4 EU integration	2	1	13	6	1	23
5 EU budget	0	3	4	5	1	13
6 Other	39	16	11	19	15	100
Total	60	58	59	51	21	249

Table 7: Number of initiatives by party group and policy area in the *Nationalrat* from 2008 to 2013.

Policy field	CDU/FDP	SPD	90/Grünen	Linke	Total
1 Energy	5	5	3	3	16
2 Enlargement	4	3	5	1	13
3 Infrastructure	2	3	1	5	11
4 Social	1	4	1	4	10
5 Internal market	5	1	2	1	9
6 Other	19	10	9	9	47
Total	36	26	21	23	106

Table 8: Number of initiatives by party group and policy area in the *Bundestag* from 2009 to 2013.

In Austria, the financial and debt crisis (total of 58) and migration (total of 30) are important topics in the four committees under investigation. The opposition parties tabled many motions on these issues (50 on crisis, 24 on migration), whereas the coalition parties show limited activity. Opposition addresses most of the policy fields more frequently than governing parties. A few issues are actually emphasized mostly by an opposition party indicating an agenda setting effort. The Green parties' policy focus on environment is reflected in its frequent motions on "energy". The BZÖ (13) and the FPÖ (6) drive the topic of "EU integration". This category encompasses specific proposals on treaty revision as well as abstract visions on the future or the EU political system. Overall, Austrian opposition proactively invests in counter-proposals on topics that are most likely linked to the cultural dimension of conflict (H2b). Crisis, migration, EU integration and the EU budget concern identity matters or questions of the allocation of competences. Topics related to socio-economic policy making receive less attention from the Austrian opposition.

In the *Bundestag*, the logic of conflict on the two dimensions seems to be reversed. All of the top five topics, except enlargement, are most likely related to socio-economic policy. The topic “social” includes the demand for a Social Europe by the SPD and the Left party who demand that workers’ protection and social rights are established at EU level. Overall, opposition does not make a strong effort to place any single EU-related topic on the legislative agenda. The Euro crisis and migration – the two most salient issues among Austrian motions and very urgent political problems at the time – range significantly lower in the *Bundestag*. They are so few that they were subsumed in the “other” category in Table 8. The motions of the three committees of the *Bundestag* demonstrate a much more technical approach to EU issues than in the *Nationalrat*.

The second step of the content analysis investigates the framing of EU issues in these motions. The framing in the Austrian parliament should pronounce the cultural dimensions more, as the policy topics on the agenda refer frequently to matters of EU integration or identity. For the *Bundestag*, one would inversely expect a stronger emphasis of the socio-economic dimension due to the policy issues on the agenda. Each motion was coded towards a pole of the two dimensions of policy conflict (cultural and socio-economic). Motions were double-coded, if their frames related to both dimensions. The figures show the share of weighted frames on left or right of all codings per party group. The following Figure 9 and Figure 10 show the results of the framing analysis on each dimension of conflict.

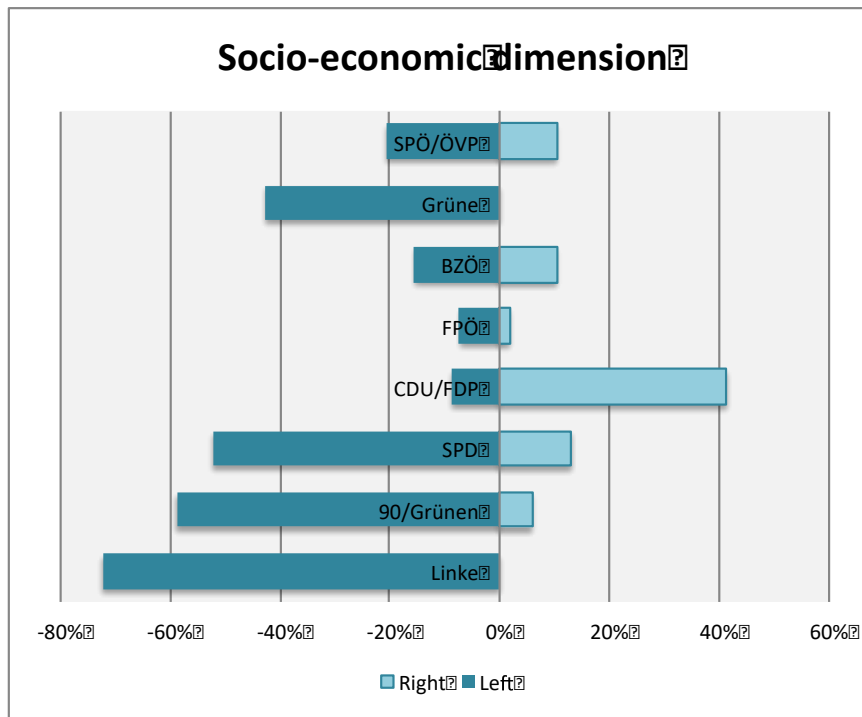


Figure 9: Competition on the socio-economic dimensions through initiatives at committee level.

For the socio-economic dimension the results on the framing of initiatives on EU affairs correspond to party positions on the left-right scale (see Section 3.4.3). As expected, the competition on socio-economic dimension is more pronounced among the German party groups than in Austria. Forty per cent of the legislative initiatives and motions from the German governing parties were framed in terms of an economically right-wing position. Opposition reacts with strongly diverging framing on a left-wing perspective. The intensity roughly matches the positional difference of each party group to the government.

The Austrian grand coalition is less decisive and closer to the centre of the scale. The Green party, which has a clearly more left-oriented position than the government, does challenge the government on EU affairs with a left-leaning framing. The BZÖ and FPÖ barely score on the socio-economic scale. This corresponds to their, especially the FPÖ's, mid-position on the left-right scale. With exception of the Greens, none of the party groups locate clearly on the socio-economic scale or holds a strong position.

The two anti-establishment parties, however, challenge the governing majority on the cultural dimension of conflict as the following Figure 10 shows.

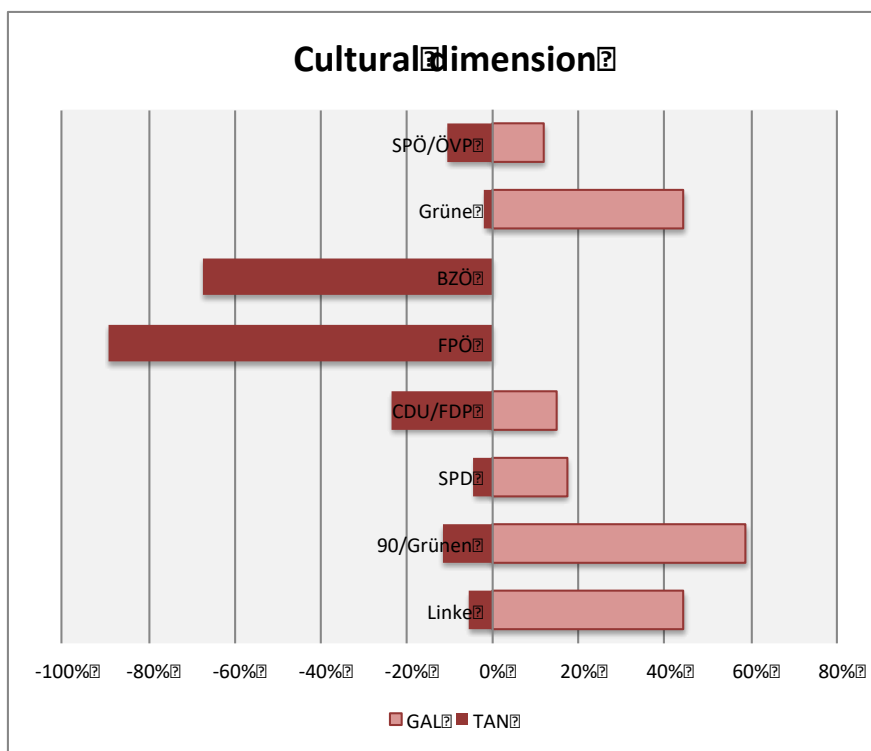


Figure 10: Competition on the cultural dimensions through initiatives at committee level.

The results show a clear correspondence to party positions on the cultural dimension (Figure 10). None of the governing parties score high on this dimension. However, various opposition parties frame their initiatives towards either pole of the cultural scale. The Alliance for the Future (BZÖ) and the Freedom Party of Austria (FPÖ) stand out with their authoritarian and nationalist framing in motions on EU affairs. The large majority of their initiatives score on the cultural dimension (67 per cent for BZÖ and 89 per cent for the FPÖ). This finding corresponds to the increased number of initiatives on EU integration (see Table 3, Section 4.3.2). The intensity of this perspectivation exceeds the expectations of Hypothesis 2b. The Austrian Greens hold a more distant position towards the governing coalition, than the BZÖ and FPÖ; yet, they score lower than them. Here, the anti-establishment stance seems to enhance the competitive strategy on the cultural dimension of conflict.

The two Green parties and the Left actively communicate an alternative and libertarian perspective in the committee documents. Despite the fact that the *Linke* and *90/Grünen* issue a rather low number of initiatives on EU matters (*Linke* with 18 and *90/Grünen* with 17 initiatives), a significant share of these initiatives is coded as green-alternative-libertarian. Hypothesis 2 b did not expect a strong involvement of the *Linke*, which locates close to the junior coalition partner (FDP) on this scale. For this party group the left extreme mixes with the GAL dimension: They strongly support a transfer of competences

to the EU level in order to establish workers rights at the higher level of governance. Overall, the conflict on the cultural dimension is less pronounced in the German parliament.

The results from the content analysis explain the findings from the quantitative assessment. The analysis of the scope of initiatives from opposition on domestic and EU affairs suggested that the cultural dimension of conflict is more important for oppositions' competition. The opposition parties more distant on the TAN-GAL dimension – that is the Austrian opposition parties – issued more EU-related initiatives and voted less supportive compared to domestic issues (see Section 4.3.1). The content analysis showed some marked differences between the committee agendas of the two parliaments. The EACs in the *Nationalrat* deal with the issues of the crisis, migration and EU integration. The committees under study in Germany do not frequently address these highly salient issues. The Austrian committees thereby face a large number of initiatives from the BZÖ and FPÖ, which frame EU affairs in terms of traditional and authoritarian values. The sole focus on this one perspective is unique to the two anti-establishment parties. As it goes beyond the intensity that Hypothesis 2b would expect (and they remain behind what Hypothesis 2a would expect on the socio-economic dimension), this finding lends support to Hypothesis 1 on the relevance of the party type. Thus, the party type did not influence the scope of activities – the number of motions on EU affairs and the support in votes on government proposals. But the anti-establishment stance shows in the framing of initiatives.

The cultural dimension less pronounced within the *Bundestag*. The committees deal more frequently with topics related to the socio-economic dimension. This is partially owed to the mainstreaming of EU affairs and the selection of the committees of economic and social affairs for study. Opposition parties could advance initiatives related to EU integration and national identity onto the agenda of the EAC however. The pro-European consensus seems to hinder competition on these matters. The three German opposition parties challenge the governing parties more on the socio-economic dimension than their Austrian counter-party. Thus, competition on EU affairs occurs mainly on the cultural dimension and less according to left-right matters in Austria, and vice-versa in the German parliament.

### ***4.3.3. Consensus or cooperation at committee level***

This study is interested in the level of cooperation or competition around EU affairs in national parliaments. The model of opposition on EU affairs in national parliaments

described different developments on the strategy of competition and cooperation throughout the parliamentary process (Section 2.3.2). It identified the status of consensus or conflict as potential starting points. If party groups hold conflicting views on a policy issue when it enters the parliamentary procedure, they could negotiate a compromise. Only this form of cooperation implies a true impact of opposition on policy outcomes. Where consensus prevailed over the support of opposition, it does not change the policy outcome. The governing parties would most likely have enacted a decision in the same form without opposition support. The indicators of this study, so far, capture the output only. Both of the empirical data sources on parliamentary activities (voting on joint motions) cannot differentiate whether the common activities result from consensus or actual cooperation. The key interest of this chapter is in cooperation among government and opposition. Were positions aligned from the start or did opposition party groups negotiate a compromise?

This Section 4.3.3 complements the findings with interview data about the processes leading to common activities. It analyses in how far supportive voting behaviour and joint motions represent a pre-existing consensus or actual cooperation between governing and opposing party groups. It builds on two data sources: interview data and document analysis of motions initiated by governing and opposition parties together. The results from interviews contextualize the findings from the data analysis on motions and votes.

Interview partners from both chambers indicate that there is little exchange across party groups ahead of the committee stage (DBTP05, AUNRP03, AUNRP05). In the regular legislative process, no informal meetings take place ahead of formal parliamentary procedures. Interview partners from the governing parties in both chambers explain that the process of finding a position on an issue is cumbersome in the negotiations within the own party group or among the coalition partners. The contact to opposition parties is uncomplicated compared to these internal processes (DBTP12, AUNRP01). With exception of the rare moments where a two-third majority is needed for constitutional revisions, opposition simply lacks the power of vote that would make it a relevant partner in the legislative process.

Opposition parties regularly vote in support of governing proposals at committee level (see Figure 8, Section 4.3.1). Interview partners explained that supportive votes are motivated by the content of a policy initiative (AUNRP03, AUNRP05, DBTP13). They vote in favour when the proposed legislation or statement coincides with the own policy preferences. Neither strategic considerations on potential future coalitions or cooperation play a role, nor



do prior negotiations take place. The pro-votes indicate a pre-existing consensus among party groups and are not the result of exchange or cooperation among government and opposition.

Joint motions are rare in both chambers. Of the overall 588 motions under investigation for the *Nationalrat* 33 were issued in cross-party collaboration of governing and opposition parties. In the *Bundestag*, only two of overall 456 motions were initiated in collaboration among governing and opposition parties. The joint motions in the *Nationalrat* revolve around a) social protection, b) energy and environmental protection and c) crisis mechanisms (see Appendix III for a complete list of joint motions). The social protection of “weaker” segments of society found regular support by all party groups in Austria. On EU affairs, the Greens were involved in 12 joint motions, whereas the BZÖ and all-party motions were limited to 4 each. In the German *Bundestag*, the draft of the EUZBBG is the only one that was initiated in cross-party consensus among all five party groups.<sup>69</sup>

For the *Bundestag*, joint motions and consensual voting are described as a rather coincidental product (DBTP13). There is no regular exchange among the party groups. They are not informed on other parties’ plans ahead of committee meetings in consequence. Some information may be exchanged among the parliamentary secretaries (*Fraktionsgeschäftsführer*), who are in contact with their counter-parts in the other party groups (DBTP13). The CDU party group does not cooperate in principle with the Left party in joint motions (DBTP13, DBTP12). They fear attacks on their credibility and authenticity, if there is any form of formal collaboration with the former socialist party (DBTP12). The reform of the parliamentary rights was the exception from this rule (EUZBBG, see Appendix III). Governing parties attempt to arrive at a consensus for the reform of parliamentary rules to demonstrate a fair and democratically legitimate self-organisation of parliament (DBTP15).

Draft motions are circulated among the party groups of the *Nationalrat*, if they address uncontroversial topics (AUNRP01). This gives an opportunity to jointly issue a motion where it coincides with the own party preferences. The governing coalition decides pragmatically and issue based with whom to engage in cooperation (AUNRP02).

For the Austrian parliament, interview partners indicated four occasions where cross-party collaboration takes place in the regular legislative process. Two indicate consensus among

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<sup>69</sup> A second joint legislative draft addressed financial support for unemployed persons. Here the SPD joint forces with the governing coalition in the Committee of Employment.

party groups and the other two evolve from proper cooperation among government and opposition. First, some MPs experience joint motions as window dressing, where irrelevant and inconsequential topics are addressed (AUNRP03, AUNRP05). The interviewee gives the example of a motion that would demand the better protection of dolphins and whales in the oceans (AUNRP03). All party groups support this idea in principle and no consequences for action arise for the governing parties, as Austria is a land-locked country.

Second, joint motions occur on policy issues that reflect a high national consensus. Anti-nuclear motions or those on prohibition of genetically modified organisms (GMO) are the best example for this logic.<sup>70</sup> The data on joint motions also shows that the policy area of energy and environmental protection was strongly promoted by the Green party and included BZÖ and FPÖ as initiators (see Appendix III). The joint initiatives on national consensus point to an interesting approach of opposition parties. They support the government in exporting the “Austrian model” to other EU member states through EU negotiations. Even the rather Euro-sceptical parties support stronger EU control mechanisms on these policy issues.

Joint motions as a result of symbolic politics or a nationally uncontested topic indicate consensus among party groups, not cooperation. These two logics driving joint motions also apply to supportive voting activities.

Third, the Green party explained some joint motions in EU affairs by the desire of the government to strengthen its negotiation position in Brussels (AUNRP02). The support of an opposition party could make claims of the Austrian government more credible in the (European) Council negotiations.<sup>71</sup> This third occasion of joint motions is mainly relevant for highly salient issues. It is the opposite of the rather accidental joint motions of the first and second occasions where consensus is pre-given. In this third form, there is an honest attempt of finding a compromise and a process of negotiations among governing and opposition parties.

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<sup>70</sup> The *Nationalrat* demanded repeatedly that the EU turns away from nuclear energy. Austria outlawed nuclear production in 1978 in consequence of a public referendum on a nuclear power plant in Zwentendorf; there is a high national consensus against nuclear energy.

<sup>71</sup> The interview partners gave an example that occurred after the actual period of investigation of this study: the negotiations on CETA (AUNRP02). The Green party has made strong efforts to influence public opinion on the free trade agreement of the EU and Canada. The governing parties approached the Green party and attempted to gain the Green’s support for a draft motion. However, the Green party did not see enough of its demands on CETA included in the motion and withdrew its support (AUNRP02).

Fourth, at the rare incidents where decision-making requires a two-thirds majority, opposition parties face the opportunity to exert real influence on the output in exchange for their votes. The crisis mechanisms installed in 2012 represented a rare occasion where power was diffused towards opposition party groups. The revision of Article 136 (TFEU) required a two-thirds majority in both parliaments.<sup>72</sup> In Germany, a two-thirds majority was also necessary for the installation of the ESM and the Fiscal Compact (Höing 2015b).<sup>73</sup> The Greens in Austria and the SPD and Green party in Germany negotiated for policy input on the crisis solution in exchange of votes in both chambers. The occasions of a two-third majority are not exemplary of the ordinary legislative processes and the normal relationship among governing and opposition parties throughout the legislative period. Opposition parties used the support for the revision of Art. 136 to negotiate policy influence, for example a pro-active approach towards establishing a Financial Transaction Tax. These negotiations, therefore, resulted in cooperation in other policy fields. A government proposal on working towards an EU Financial Transaction Tax would, for example, find support by the opposition. The three parties who did not support the revision of Art. 136 are the Left party within the German context and of the BZÖ and FPÖ in Austria. This explains to some extent their more extreme position.

Summing up, joint motions could be an important indicator for party cooperation. They are very rare in the *Bundestag* and do not occur often in the *Nationalrat* either. Despite more frequent joint motions in the *Nationalrat*, these barely represent a closer link between government and opposition parties. Supportive votes mostly do not indicate cooperation either. Most of the lower salience issues addressed together by majority and minority party groups reflect a pre-existing consensus. However, at times the Austrian government intends to find support by opposition parties to increase its negotiation potential in Brussels. In both chambers, a constitutionally required two-third majority can be an important tool for opposition parties on very relevant decisions in a country.

In sum, inter-party cooperation is rare in the *Bundestag* and *Nationalrat*. The “power of the vote” is an important prerequisite to have an influence on policy output in the legislative

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<sup>72</sup> In order to install the European Stability Mechanism, Article 136 TFEU was reformed using the simplified revision procedure (Art. 48(6) TEU) to provide the legal basis of the stability mechanism in the EU treaties (Council 2011). The national ratification of the simplified revision procedure is specified under Art. 23i (4) in the Austrian constitution and Art. 23(1) of the German Basic Law. In Austria, a minimum of 50 per cent of MPs need to be present for the vote where a two-thirds majority needs to be achieved (Art. 50(4) B-VG). In Germany, a two-thirds majority in absolute terms is required (Art. 79 (2–3)).

<sup>73</sup> Ratification of the legal basis of the ESM and the TSCG differed in the two countries. In Austria they were classified as international agreement, which can be passed with simple majority. In Germany, two-thirds majorities applied for these two legal bases (European Parliament 2013).

processes. By and large, opposition has little opportunity to exert policy influence. The good minority protection of the two consensus democracies in domestic (Lijphart 2002) and especially in EU affairs (see Section 4.1.1) does not translate to opportunities for policy influence by opposition in the day-to-day policymaking. However, it leads to a more cooperative atmosphere and efficient exchange of information.

In Germany, the CDU defined a principled exclusion of formal cooperation with the *Linke*. The centre-right party fears criticism, if it would formulate joint motions with the Left party. This principle is not violated when the two party groups have consensus on a policy issue. The governing parties in Austria do not preclude any opposition party from collaboration in joint motions. On EU issues the Green party is more involved possibly also due to the support on Art. 136; BZÖ and FPÖ criticise government initiatives on EU affairs harshly. On social issues or migration the coalition parties cooperate at times with the culturally conservative parties. The accessibility of the government parties for the anti-establishment parties might also explain their support in voting and overall regular behaviour within the committee setting.

#### **4.4. Conclusions: Consensus or competition**

The committee level is often presented as a fact-oriented cooperative space where lines of political conflict among party groups are less pronounced than in the plenary (Damgaard and Mattson 2004). This Chapter 4 aimed at understanding cooperation and competition on EU issues in committees in the *Nationalrat* and the *Bundestag* in the legislative period from 2008/2009 to 2013. The focus of the analysis was on the use of motions and the voting activities of opposition parties. This data was complemented by content analysis and information from interviews with MPs and administrators in both chambers. Overall, the empirical investigation did not find support for actual cooperation across the aisle. Policy influence of opposition is reserved to votes, which require two-third majority as the revision of Art. 136 TFEU. The committee level is, thus, characterized by either consensus or competition.

Table 9 summarizes the results on the scrutiny activities at committee stage.

	Hypothesis 1 on the party type	Hypothesis 2a on positional distance on the socio-economic dimension	Hypothesis 2b on positional distance on the cultural dimension		
Committee stage	Frequency of initiatives	– – (no difference to regular parties)	– (limited correspondence to positional distance)	+	(some correspondence to positional distance)
	Votes on government bills	– – (no difference to regular parties)	– (limited correspondence to positional distance)	+	(some correspondence to positional distance)
	Topics of initiatives / agenda setting	– (only some emphasis of EU integration)	– (limited correspondence to positional distance)	+	(some correspondence to positional distance)
	Joint initiatives with governing parties	– – (no difference to regular parties)	+	+	(AU: all PPG participate topic dependent, DE: rare and <i>Linke</i> excluded)
	Framing of initiatives	+	++ (clear correspondence to positional distance)	+	(correspondence to positional distance except see H1)

Table 9: Summary of results on the committee stage.

The evaluation on a four-point scale (++, +, –, –) indicates in how far the expectations of the hypothesis found support. Shaded fields imply that the indicator was not applicable to test a specific hypothesis. Hypothesis 2 is not listed as it is implied in H2a and H2b. Hypothesis 1a on outright competition towards government personnel was not tested for the committee level.

This chapter shows an astonishing lack of support for the first hypothesis of this study that expected principled competition from anti-establishment parties at committee level. In the use of formal instruments at committee level (frequency of motions, voting behaviour and participation in joint motions) neither FPÖ nor BZÖ presented a radically different approach from regular parties. BZÖ and FPÖ support government proposals in 50 to 75 per cent of the cases; they even participated in about 15 joint motions with the governing parties each. In the use of parliamentary instruments at committee level, the anti-system parties do not show any different behaviour from regular parties. Their framing of EU affairs, however, emphasized the TAN-perspective more than Hypothesis 2b expected.

The second hypothesis of the study concerns the ideological positions of party groups. The difference between the two chambers in framing EU issues supports the relevance of Hypothesis 2. The Austrian parties are more distant on the cultural dimension and strongly

compete over questions of EU integration, national sovereignty and migration. The topics on the EACs agenda are more likely to trigger competition on the cultural dimension, as they often address identity-related issues and EU integration. The FPÖ and BZÖ spur a very critical and fundamental debate over the future of EU integration. The Green party reacts to this with a strong counter position to the culturally conservative parties. In the *Bundestag*, the scrutiny of EU issues of high and low salience takes place in a more pragmatic and technical way. The German parties largely abstain from topics of integration or identity matters, which reflects the overall consensus on EU integration in the *Bundestag* and the proximity of party groups on the TAN-GAL dimension. German opposition – especially the SPD and Left – more frequently addresses workers’ rights and social protection in their EU scrutiny (H2a). Overall, EU scrutiny was framed more according to the left-right logic within the *Bundestag*. Within each chamber one dimension of conflict is predominant and the other one rather neglected.

Two important institutional differences could limit these findings. It concerns the ex-ante control of the European Council in the *Nationalrat* and the mainstreaming of EU affairs in the *Bundestag*. The *Nationalrat* hears the chancellor in the Main Committee on EU Affairs. Highly salient issues are, thus, included in the analysis above. The *Bundestag* installed the ex-ante scrutiny of the European Council at plenary level. This organisational aspect could explain the difference between the two chambers, such as the higher salience of the crisis and migration in the Austrian committees. The analysis of plenary debates on European Council meetings will allow drawing final conclusions in this regard (see Chapter 5).

Furthermore, the scrutiny of day-to-day policymaking takes place in the EU Sub-Committee in Austria but is “mainstreamed” to other sectoral committees in Germany. Due to the selection of committees for analysis, not all EU issues under parliamentary scrutiny are captured for the *Bundestag*. The case selection might have influenced the predominance of left-right dimension, as the committees for economy and for social affairs were covered. However, questions of EU integration are dealt with in the EAC and were not addressed in competitive fashion there either.

Chapter 4 has shown that actual cooperation is rare in the *Bundestag* and *Nationalrat*, even at the committee level. Despite the good minority protection – especially on EU issues after Lisbon – opposition does not have much policy influence in the regular legislative process. Common activities often result from a pre-existing consensus among party groups.

This has important implications for how the parliamentary activities contribute to the legitimacy of the EU decision-making process (see Section 1.1.3). Communication of political alternatives remains partial in both chambers due to the focus on a single dimension of political conflict. In the German committees, a more fundamental debate is prevented by the high consensus on basic principles of EU integration. EU issues are dealt with in a pragmatic and technical way. The presence of strongly Euro-sceptic parties in the Austrian parliament sparks a much more principled discussion that present different solutions to a problem are present. For legitimacy in the sense of alteration, the critical debates in the committees of the *Nationalrat* are valued positively as they provide a much broader range of alternatives to the Austrian voters. The EU scrutiny in the two EACs in the *Nationalrat* is, however, dominated by the cultural dimension of conflict. Less attention runs towards the policymaking on the socio-economic dimension.

If legitimacy is defined by a lively debate of alternatives in public discourse with the potential *alteration* of the policy programme after elections, both parliaments score well on only one dimension of conflict.

The following Chapter 5 investigates the communicative strategies of opposition parties in more detail.

## 5. A voice of opposition in plenary debates?

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The role of parliament combines the control of the government behind closed doors with public justification of the policy process. Chapter 4 analysed the legislative scrutiny at committee level, which is conceptualized as a first preparatory step in the parliamentary process in the model on opposition in national parliaments (see Section 2.2.3). This Chapter 5 investigates the second step of public justification in the plenary. Debates in the plenary are the most important forum for opposition to voice critique and propose policy alternatives and for governing parties to justify their decisions (Auel and Raunio 2014b: 21, Proksch and Slapin 2015, Rauh 2015). One aim of the exchange of conflicting views could, in theory, be the persuasion of the other participants. However, for plenary debates in modern parliaments the element of persuasion across party groups is negligible, since majorities are not formed ad-hoc during public debate. Party discipline and pre-negotiations structures the voting behaviour. In consequence, the main purpose of plenary debates is the justification of MPs policy positions towards their fellow party members and voters. Speeches on the floor are therefore understood as strategic action with the long-term goal of re-election in this thesis (see Proksch and Slapin 2015: 9).<sup>74</sup>

Lively and conflictive plenary debates – sparked by party competition – have an important democratic function of informing the electorate. Through justification of party positions, the voters can allocate responsibilities and take a deliberate choice of whom to support at the next election. Opposition should offer policy alternatives to the electorate so that voters have a choice (Mair 2007). In perspective of politics as a “chain of delegation”, continuous monitoring of the “agent” (members of parliament) is an important ex-post control mechanism for the “principal” (the voters) (Bergman 2000, Bergman et al. 2000). Plenary debates are a tool of justification and monitoring throughout the legislative period.

The EU has been criticized for the weak development of the reverse “chain of accountability” from decision-makers to the voters (see Section 1.1.3). A lack of an open and controversial debate is seen as key element of the EU democratic deficit (Mair 2007, Auel and Raunio 2014b). Voters can only make an informed choice on EU integration, if

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<sup>74</sup> Parliamentarians thereby rely on the transmission of debates by the media. The extent of media reports on the plenary debates cannot be tested in this study. Research has shown that especially media does react to debates on European Council meetings (but also other?) (de Wilde und Wonka 2016). Moreover, MPs must assume that their speeches are documented and accessible to voters and journalists over time.



parties make their diverging views accessible and reflect the citizens' interests. National parliaments are in a central position to contribute to this form of EU legitimacy. Only they can "translate" the EU decision-making process to their national public sphere. The European Parliament cannot serve 28 national public spheres that are to date still only loosely linked to each other (Eriksen 2005, Risse 2010). The level of politicization of EU issues in national parliaments, that is their salience and polarization, is an important element of democratic legitimacy of this supranational polity (de Wilde 2011).

The communicative function of parliaments has for a long time been understudied (Auel and Raunio 2012, Proksch and Slapin 2012, Bächtiger 2014). Bächtiger (2014) argues that parliamentary debates did not receive much attention, because they have been disqualified as "cheap talk" in the conventional view. After the "argumentative turn" in the social sciences, parliamentary communication started to receive more attention (Fischer and Forester 1993). With the digital revolution, parliamentary documents have become more easily available in the past decades and computer-aided technologies of text analysis advanced significantly (Proksch and Slapin 2014). This has allowed researchers to address new research questions in the study of parliamentary communication. In relation to EU affairs, studies have addressed their salience (quantity) and contestation (quality) in parliamentary debates (Auel and Raunio 2014a, Closa and Maatsch 2014, Maatsch 2014, Auel 2015, Rauh 2015, Wonka 2016, Rauh and de Wilde 2017). This chapter links to this body of literature. It focuses on the contestation among political parties.

A few publications have investigated the salience of EU affairs in national plenary debates. Auel et al. (2016) find that contestation over EU integration in parliament has a constraining effect on the extent of explicitly EU-themed debates in seven countries. Rauh and de Wilde (2017) assess the share of references to EU issues in all plenary debates in four countries over 20-years. Their central finding is an "opposition deficit" in debates in lower chambers in Germany, the UK, the Netherlands and Spain. The governing parties spent significantly more time on EU issues in their speeches than the opposition. The authors argue that the limited time of opposition arguing about EU issues is problematic for the accountability of supranational governance: Voters are not offered a balanced discourse covering diverse points of view. While the study of salience provides interesting findings on the motivation of MPs to address EU issues, only qualitative analysis can show whether opposition expresses alternative policy positions. Opposition might shy away from criticism, as they do not want to appear disloyal to national interests (Auel and Benz 2005).

Or former governing parties might be held (co-)responsible for structural difficulties of EU integration. This Chapter 5 investigates the qualitative differences among the argumentations around EU integration between party groups.

Qualitative analyses have investigated plenary debates about the EU budget (de Wilde 2014), the Euro crisis (Closa and Maatsch 2014, Maatsch 2014, Wonka 2016) and EU treaty change (Wendler 2011, 2014). These studies identify the policy positions and framing approaches of speakers or parties on different dimensions of political conflict. Findings are mixed. In debates on the Euro crisis the main divide runs between challenger and mainstream parties (Closa and Maatsch 2014, Maatsch 2014, Wonka 2016). On treaty change, the government is pitched against the opposition in line with the classical divide in legislatures (Wendler 2014: 563). The EU budget is discussed in an increasingly diversified and policy-oriented debate in three parliaments (Denmark, Ireland and the Netherlands) (de Wilde 2014: 1089).

This chapter links to the state of the art to explain in how far opposition parties employ different strategies in communicating EU affairs. In this it is interested in the actually communicated speech acts in the plenary. Many content analyses aim at understanding the policy positions of parties towards EU issues. Where this is the case they analyse a latent, not directly observable variable that is potentially only partially represented in MP's speeches (Proksch and Slapin 2014). This study is interested in how far conflicting views over EU issues are *communicated* to the electorate. This is a directly observable variable.

In general it is difficult to measure cooperation in plenary debates. Only at rare instances do opposition parties explicitly support the government. The speaking time is usually used to criticize and sharpen the own profile. Opposition parties often address just a few issues from the government agenda. Policy issues, which are consensual, will not be explicitly supported.

This chapter tests the two main hypotheses of this thesis for the communicative dimension. The first hypothesis considers how an anti-establishment stance of a party group influences the strategies of cooperation or competition on EU issues. Research on plenary debates on EU issues has addressed the difference between mainstream and those parties challenging the establishment. It has not yet investigated the special role of anti-establishment parties. The party type should play an important role in the communicative competition of opposition party groups. Abedi (2002) identified three elements that define anti-

establishment parties: they present themselves as challengers to established parties, express a fundamental divide between the established parties and “the people” in their rhetoric, and challenges the status quo in terms of policy and political system issues. The “people versus elite” rhetoric should lead to a strong attack of government personnel who is considered to represent the “old elite”. The anti-establishment stance should furthermore result in a fundamental critique of policy content and political system design. This is indicated by the difference in framing of a policy issue between governing and opposition parties.

Not only the intensity of competition, but also its style should differ for anti-establishment parties. An important strategy of this party type is the expression of a fundamental divide between people and elite. This should reflect on the interaction with the governing parties. This study expects a more personalized critique of government personnel from anti-establishment than from regular opposition parties. In the sense of a more outright critique, the personal attack against characteristics of the opposing party dominates the content-related discussion.

The second hypothesis of this study accounts of the relevance of positional distance among opposition and government parties for competition and cooperation. The second hypothesis is specified along two dimensions of political conflict: the economic left-right and the TAN-GAL dimension (see Section 2.3.2). Existing research on the framing of EU issues in national parliaments has considered the influence of party positions on these two dimensions. It has not been analysed in terms of the relative distance to the government, but in absolute terms (Closa and Maatsch 2014, Maatsch 2014, Wendler 2014) and in the division of mainstream versus extreme parties (Wendler 2014, Wonka 2016).

The following Chapter 5.1 explains the methodological approach to content analysis of plenary debates of this study, before Chapter 5.2 turns to the results. Chapter 5.3 concludes.

## **5.1. Methods selection of texts for analysis of the plenary level**

Content analysis is defined as “the systematic objective, quantitative analysis of message characteristics” (Neuendorf 2002: 1) of text documents. The method aims at a transparent and inter-subjective way of analysing text. The specific requirements towards the exact design of a content analysis depend on the research question and text format. In this study, the degree of competition or cooperation by opposition parties on EU affairs forms the

dependent variable. Party type and positional differences between governing and opposition parties are potential explanatory factors. This Chapter 5.1 lays out the method of the content analysis, operationalizes the hypotheses and explains the selection of the text corpus. The method contains two elements: framing analysis and a measure for anti-elitism.

### ***5.1.1. The method of frame analysis***

This study builds on framing analysis, which is a well-established method in political science (Chong and Druckman 2007, Daviter 2007). Frames are “schemata of interpretation” (Goffman 1974: 498, Helbling et al. 2010). Any position or issue can be addressed from a multitude of perspectives. Entman (1993) points to the relevance of framing as it means “to select some aspects of a perceived reality and make them more salient in a communicating text“. In the process of “framing” an actor contextualizes a single event or issue within a larger dimension of conflict or within an ideology. As they are abstract concepts, frames are comparable across issues and time. The various perspectives on a policy issue can significantly influence the perception in public and has consequences for how political actors should (re)act. Political actors compete about the framing of events and try to mobilize their supporters by accentuating certain aspects of a policy (Chong and Druckman 2007: 106). Plenary debates are an important forum where MPs justify their position in direct antagonism to the other party groups. Framing thereby indicates the policy preferences of the speakers (Closa and Maatsch 2014: 830). The format of plenary debates is ideal for measuring the level of competition between government and opposition parties. The speeches from governing parties are included in the analysis, as they are the point of reference for the level of competition by opposition.

The content analysis of this study uses a computer-assisted manual coding method utilizing the software MaxQDA. Automated computer coding could deal with significantly larger amounts of text than manual coding and is less prone to subjectivity once the coding scheme has been installed (Chong and Druckman 2007: 108). Manual coding may be less reliable during the coding process, yet, delivers more valid results. Automated text analysis turns words into data and cannot assess the complexity that this research question requires. The recent study by Rauh and de Wilde (2017) showed an opposition deficit in terms of speaking time on EU issues in the German *Bundestag*. They came to the conclusion that only qualitative analysis of the debates could test whether this lower presence of opposition MPs goes along with a lack of alternative proposals and political competition.

The unit of analysis of this framing analysis is not necessarily a grammatical sentence. A coded statement may include several grammatical sentences, which form a logical unit. Frames may also be referred to in passing with just a few signal words. Since the unit of analysis is not defined rigidly, I assign a weight to each coded frame to measure the intensity with which the speaker argues for it (see Table 10). If a frame is referred to only superficially in one sentence or less, the weight is assigned at 1. Where a proper argument is formulated, the weight scores 2. When special emphasis or a longer explanation occurs, the frame is weighted at score 3. Using these weights allows grasping the complexity of the debating situation. It is not necessary to disregard certain framing attempts, as a rigid definition of the unit of analysis would do. The intensity with which a party group addresses a frame is measured by the frequency and weights. For each coding, the following categories were noted: chamber, date, the speaker, the party group, citation, frame(s) and its weight. Table 10 gives an example for the three different weights using the coding scheme at the example of the “Anti-Austerity” frame.

Parliament	Date	Speaker	Party group	Citation	Frame	Weight
<i>Bundestag</i>	21 Mar 2013	Peer Steinbrück	SPD	„Wir brauchen eine Wirtschaftspolitik, die die privaten und öffentlichen Investitionsquoten steigert.“	Anti-austerity	1
<i>Nationalrat</i>	14 Dec 2011	Eva Glawischnig-Piesczek	<i>Grüne</i>	„Es gibt eine ausschließliche Fokussierung und ein ausschließliches Hinstarren auf die Haushaltspolitik, auf das sogenannte Sparen. Sie sehen aus dieser Perspektive die gesamte große Lösung der Finanzmarktkrise überhaupt nicht mehr, weil Sie sich ausschließlich auf die Merkel'sche Sparpolitik konzentriert haben, die unterm Strich Europa in eine noch größere Krise hineingeführt hat, als es bereits war.“	Anti-austerity	2
<i>Bundestag</i>	14 Dec 2011	Gregor Gysi	<i>Linke</i>	„Wenn Sie mir das nicht glauben, dann glauben Sie doch wenigstens Ihrer heiligen amerikanischen Ratingagentur. Jetzt zitiere ich einmal das, was Standard and Poor's sagen, die nun wirklich auf der anderen Seite stehen: Während sich die europäische Wirtschaft abkühlt, erwarten wir, dass ein Reformprozess, der allein auf der Säule von Sparanstrengungen ruht, zwecklos ist, wenn die Sorgen der Bürger um Jobs und Einkommen wachsen, die Nachfrage schrumpft und die Steuereinnahmen der Staaten erodieren.“	Anti-austerity	3

Table 10: Coding scheme with examples for different weights.

Several frames may be coded for a single statement. Previous research has shown that actors refer to several frames in one sentence to build stronger support for their argument or

to attract a larger group of supporters (see Helbling et al. 2010: 508, Lerch and Schwellnus 2006: 307). An indifference to this real world complexity of multiple frames would distort the results. Where statements were double coded to different frames, the weights were assigned so that the overall weight of that statement would reasonable reflect the relevance of that statement.

The weights for each frame are aggregated per party group for the analysis. Speaking time in parliament is allocated according to seat share in both chambers (§ 57, GOG-NR, Chapter 7.11, Datenhandbuch des Bundestages 2016). Thus absolute numbers would distort the results in favour of larger party groups. The results are presented in form of the share of aggregated weights on each frame of the total of a party group. The relative score represents the emphasis on the framing by the respective party group. Plenary time is precious. If a party group argues for a certain frame, as anti-austerity, with e.g. 20 per cent, it is key to their communicative strategy.

The coding scheme for the frame analysis was developed both deductively and inductively. The deduction ensures that the categories link to the theory. The inductive approach assures that the full complexity of the parliamentary debates is acknowledged. The deductive approach involves the two dimensions of political contestation developed in Section 2.3.2 (socio-economic and cultural dimension). Existing content analyses of EU debates did not directly use these two dimensions. However, a number of studies have worked with Habermas' (1993) definition of three basic types of arguments: utilitarian ones, moral-universalist justifications and identity-related arguments (Sjursen 2002, Helbling et al. 2010, Statham and Trezn 2013, Wendler 2014). These three dimensions link closely to the two dimensions of political competition relevant for the differentiation of Hypothesis 2 (see Section 2.3.2). Utilitarian arguments deal with the material welfare of the member states and their citizens as a consequence of EU integration. The utilitarian dimension relates to the socio-economic line of political conflict (left-right).

Both moral-universalist and identity-related arguments are associated with the cultural dimension of conflict (TAN-GAL). Moral-universalist and identity-related arguments are opposite ends of the cultural dimension of conflict. Values and questions of identity are answered differently along this line of controversy. In terms of identity, the TAN-end of the dimension defines the "ingroup" along the borders of the nation state. The libertarian worldview goes along with an understanding of open borders and, for the topic under study, the inclusion of all EU citizens as "ingroup". Coding schemes of existing studies on EU

issues were carefully taken into account (Wendler 2011, 2014, Maatsch 2014, Closa and Maatsch 2014, Helbling et al. 2010).

The actual frames – at the lower level of abstraction – were developed inductively. The frames were tested and developed inductively in a pilot study on five speeches from each parliament (see Codebook in Appendix IV). The intention of this study is to measure the intensity of competition by opposition parties. To do so, I developed a scheme of analysis that indicates the extent of conflicting views among the party groups. Individual frames were structured as pairs of opposing framing approaches. The relative frequency and intensity with which the party groups use opposing frames indicates the competition around a topic. Research on party positions has intensely discussed the allocation of single issues to dimensions of political conflict, especially the left-right scale (Franzmann and Kaiser 2006). The pairs of counter-positions of this thesis' scheme of analysis built on the insights from these studies.

The following example demonstrates this approach. Parties addressed two contradictive solutions when they were confronted with the Euro crisis: On the one hand, the financial crisis should be solved through reduced public spending (frame: “Economic orthodoxy”). On the other hand, parties advertised public overspending to induce growth (frame: “Anti-Austerity”) (see also Maatsch 2014). The two frames of the topic “Public spending” stand in direct contradiction to each other. Not all pairs of frames provide such clear-cut opposites. The frame “Protect national sovereignty”, for example, is not matched by an argument for protecting EU sovereignty. As the EU is a polity in the making, no-one expresses a concern of the EU's sovereignty being undermined. Much more, the “Protect national sovereignty” frame is matched with a more general appeal to supporting the integration project (frame “More EU”). A strengthening of the EU corresponds to an increase in its autonomy (or sovereignty). All frames were matched with counter-arguments. The definition of each frame is explained in the results Chapter 5.2 (see also Appendix IV: Codebook).

Table 11 and Table 12 show all opposing pairs of frames in relation to the two dimensions. The opposing frames help identifying the degree of competition amongst the party groups in parliament.

Topic	Left	Right
Purpose of EU integration	Social Europe	Economic prosperity Global Competition
Budget policy	Anti-austerity	Economic orthodoxy
Role of the state	Regulation	Deregulation/ Efficiency
Roots of the crisis	MS responsible for own fate	Social injustice
Economic policy	Labour and social protection	Economic incentives

Table 11: Frames on the socio-economic dimension.

Topic	TAN	GAL
The EU polity	Intergovernmental	More EU, supranational
Identity	Defend national interest Protect national sovereignty	European common interest European idea
Cross-border redistribution	No EU transfer payments	EU transfer payments / Solidarity

Table 12: Frames on the cultural dimension.

The framing analysis is designed to answer Hypothesis 1 and 2, as well as Hypothesis 2a and 2b. Hypothesis 1 will be supported, if the anti-establishment parties are significantly more competitive than all regular opposition parties. Competition is measured by the frequency and weights and presented in form of the relative share of the overall weights of a party group. Hypothesis 2 finds support, if the degree of competition is associated with the positional distance of opposition party groups to the government. If positional distance is the main explanatory variable, the difference in framing should correspond to it. For Hypotheses 2a and 2b the emphasis on frames is split up according to the two dimensions of political conflict.

### ***5.1.2. Measuring anti-elitism in plenary debates***

The content analysis of this study includes a second dimension, which measures the level of anti-elitism in the parliamentary debates in Austria and Germany. Hypothesis 1a assumes that anti-establishment parties use a more *outright* competitive strategy towards the government than regular parties (see 2.3.2). To measure this specific communicative strategy, this study integrates a methodological approach of research on populism (Jagers and Walgrave 2007, Rooduijn and Pauwels 2011). These studies consider anti-elitism as



one element of populism.<sup>75</sup> They measure the share of statements that address any type of elite (political, media or business) and the intensity of the critique towards the elite.<sup>76</sup> The method is adapted by this study to fit the focus on opposition strategies and definition of anti-establishment (not populist) parties relevant for this study.

In this step of the analysis, I assess how frequently oppositional MPs explicitly refer to the governing party groups in their speeches. The codings for references to other actors were also attributed a certain weight (1, 2 or 3) depending on the length and emphasis of the statement (see above Table 10).

This step of the analysis distinguishes, most importantly, between different qualities of statements addressing the government to test Hypothesis 1a. Focusing on two key elements of Jagers and Walgrave's (2007) scale, this study distinguishes content-related rebuttals from critique of personal attributes of government personnel. The element of personalized critique also builds on the work of Steenberg (2003), who argues that respect towards other speakers in a debate is important for the overall discourse quality. This study integrates this element as it is interested in the effect on democratic legitimacy of parliamentary debates on EU affairs.

In consequence, the coding scheme has two values for references to other actors: content-related or personalized. Table 13 presents examples of a content-related and personalized reference to government actors. The database furthermore covers the addressee of the reference.

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<sup>75</sup> The other two elements of populism are references to "the people" and the exclusion of certain segments of society according to Jagers and Walgrave (2007).

<sup>76</sup> Jagers and Walgrave (2007) use a scale of 1 to 7 depending on how specific or diffuse the statement is.

Parliament	Date	Speaker	Party group	Citation	Reference to others	Address
<i>Bundes tag</i>	25 Mar 2010	Angelica Schwall-Düren	SPD	„Frau Kanzlerin, das passt zu den verheerenden Signalen, die Ihre Regierung in Deutschland selbst setzt: Die Förderung der erneuerbaren Energien wird von heute auf morgen reduziert, und die Investoren werden damit verunsichert.“	Content-related	Gov
Nationalrat	14 Dec 2010	Peter Westenthaler	BZÖ	„Das war <b>nach</b> dem Herrn Bundeskanzler, das ist natürlich klar, denn der war schon vorher dort. Das heißt, der hat gehört, der Bundeskanzler ist bei der Frau Merkel, und es hieß: Hangar 7 aufmachen, ich brauche einen Privatjet! Diese Regierungsmitglieder fliegen ja immer mit dem Privatjet. Also mit dem Privatjet zur Frau Merkel, damit er auch schöne Fotos bekommt und heute im Parlament der Bevölkerung und den Abgeordneten stolz mitteilen darf: <b>Ich</b> war auch bei der Frau Merkel!“	Personalized	Gov

Table 13: Coding scheme with examples for references to other actors.

The two examples of Table 4 fit clearly into the scheme of analysis. The first statement by Angelica Schwall-Düren directly addresses the German chancellor with criticism of her policy proposals. The second citation of Peter Westenthaler is dedicated exclusively to find fault with the quality of government staff. They are presented as weak, off-hook and self-centred. The personal criticism does not link to any policy content. Not all statements in the debates under analysis can be allocated as clearly to one of the two categories of references to other actors. Some personalized attacks reflect criticism of policy content as well. In the case that statements operated in a grey zone, they were always coded to the category that was predominant. References to other actors were not double coded to several categories.

To sum up, the coding scheme for the content analysis covers a framing analysis and measure on anti-elitism. The framing analysis measures the extent of competition by opposition parties towards the government. This is relevant to test Hypothesis 1 and 2 (a and b). Measuring anti-elitism identifies content-related and personalized critique towards the government. This approach answers Hypothesis 1a on the special communicative style of anti-establishment parties.

### 5.1.3. *The selection of the text corpus*

After laying out the methodological approach of this Chapter 5, I explain the selection of text for the analysis before we turn to the results (see 5.2). This study performs a qualitative content analysis. The analysis is based on a careful selection of a limited number of debates, which are sufficient to identify different framing strategies by opposition party groups. In-depth qualitative analysis is too resource intense to include a large text corpus (see de Wilde 2014).<sup>77</sup> This thesis focuses on six explicitly EU-related plenary debates.

The selection of the text corpus faces several challenges. First, how exactly can we define EU-related debates? Second, the contributions of opposition parties in Austria and Germany need to be comparable to each other. Third, the debates need to provide data that corresponds to the research question. The selection process of the texts for analysis addressed these three challenges as explained in the following.

First, all debates on EU affairs were identified in the two chambers in the period of investigation (see Appendix V). Only debates with an explicit EU-related topic were taken into account. One of the key words "European Union", "Europe" or "European integration" was in the title or the key words allocated by the parliamentary services (on the parliamentary website). The results of the key word search were matched and amended through the list that the German parliamentary website provides (Bundestag 2017) and by search for the specific formats, such as *Aktuelle Europastunde* in the *Nationalrat*. Overall, I identified 145 debates with a focus on EU issues for the *Bundestag* and 89 for the *Nationalrat* between 2008/09 and 2013.<sup>78</sup>

Second, it is important that the debates took place simultaneously in both chambers so that results are comparable for all six opposition parties, as policies and political challenges change over time. On the basis of this comprehensive list it became apparent at what instances both chambers debated the same EU policies or developments at the same moment in time. Due to institutional difference, both chambers discussed only twelve topics more or less simultaneously.<sup>79</sup>

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<sup>77</sup> Studies using automated text analysis can retrieve all statements by MPs referencing EU affairs from all debates in the *Bundestag* (see Rauh 2015, Rauh and de Wilde 2017). The measurement of all EU references is important for researching the salience of EU issues.

<sup>78</sup> In the plenary debates of the *Bundestag* a share of the speeches is not actually performed on the floor, but only provided in the minutes. The debates only protocolled were excluded from this overview. For the purpose of reaching out to the citizens only actually performed debates are relevant.

<sup>79</sup> Of the twelve parallel debates, three relate to meetings of the European Council. Four debates concerned questions of the installation or application of the European Stability Mechanism. Two dealt with enlargement

The institutional prerogatives on the role of the plenary on EU affairs differ significantly between the two houses (see Chapter 3.3). The *Bundestag* regularly debates before European Council meetings. The plenary is involved in the ex-ante EU policymaking and transposition on continuous ground due to mainstreaming. In the *Nationalrat*, the Main Committee votes on EU-related statements in place of the plenary. The regular EU policymaking is therefore rarely debated on the floor. The Austrian chamber, however, institutionalized “topical EU debates” (*Aktuelle Europastunden*, GOG-NR § 74b) where party groups alternate in agenda setting of the approximately one-hour long debates. Finally, the *Nationalrat*'s plenary is involved irregularly in the ex-post control of European Council meetings.

In consequence, the institutional practices of both chambers have one parallel element: debates on European Council meetings. I chose one European Council-related plenary debate from the beginning, middle and end of the period of investigation. This choice follows the logic of a most-likely case selection. Only highly conflictive and salient issues are negotiation within the European Council. Analysing parliamentary debates ex-post or ex-ante to these summits assures that only matters of “high” politics are addressed. These should trigger the strongest conflict among party groups. Debates on issues of lower salience could be more consensual than the ones chosen for analysis. Finally, the European Council is not focussed on a single issue, but provides some variety within a clearly limited text selection. In the period of investigation the European Council meetings under investigation addressed the following topics: the EU 2020 strategy, the Multi-Annual Financial Framework, the Euro crisis and briefly touched upon some matters of foreign policy. These topics provide adequate variation to research the dimensions of conflict as they touch upon important socio-economic questions as well as the purpose and role of the European Union itself. This study analyses six debates in two parliaments (three per chamber) in the legislative term from 2008/2009 to 2013. Table 14 shows the selection of plenary debates.

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of the European Union (Bosnia and Herzegovina, Serbia). Three more issues were debated in both chambers: the Financial Transaction Tax, Privatization of Water and freedom of movement.

Chamber	Date	No.	Title
<i>Bundestag</i>	25 Mar 2010	34	<i>Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 25./26. März 2010 in Brüssel</i>
<i>Nationalrat</i>	24 Mar 2010	57	<i>Erklärung Dr. Spindelegger: aktuelle Fragen der österreichischen EU-Politik</i>
<i>Bundestag</i>	14 Dec 2011	148	<i>Regierungserklärung zu den Ergebnissen des Europäischen Rates am 8./9. Dezember 2011 in Brüssel</i>
<i>Nationalrat</i>	14 Dec 2011	139	<i>EU-Erklärungen Faymann und Dr. Spindelegger: Ergebnisse des Europäischen Rates am 9. Dezember 2011</i>
<i>Bundestag</i>	21 Feb 2013	222	<i>Regierungserklärung zu den Ergebnissen des Europäischen Rates am 7./8. Februar 2013 in Brüssel</i>
<i>Nationalrat</i>	19 Feb 2013	190	<i>EU-Erklärungen Faymann und Dr. Spindelegger: Ergebnisse des Europäischen Rates vom 7. und 8. Februar 2013</i>

Table 14: Plenary debates selected for investigation.

Overall the sample covers 92 speeches and an overall speaking time of 12.5 hours in the two chambers. Each debate follows a similar structure in both parliaments. It is opened by a government declaration of the chancellor or foreign minister. The party leadership of all party groups is involved as well as some backbenchers. This format is well suited to analyse the conflict between government and opposition.

## **5.2. Results on the dimensions and type of conflict in plenary debates**

This Chapter 5.2 presents the results of the content analysis of six plenary debates in the *Bundestag* and *Nationalrat* to measure the extent and type of competition by opposition parties. It starts out with descriptive analysis of the frequency and topics of EU-related plenary debates in both parliaments in Section 5.2.1. This information serves to contextualize the three debates chosen for analysis. The section also informs on the content of the debates under analysis and giving an overview of the frequency of all frames. The remainder of the chapter is structured according to these expectations: the first section analyses topics that should be framed along the cultural dimension (5.2.2), the second section those relevant for the left-right dimension (5.2.3). For each topic, I briefly explain the content of the various frames and the government position before I turn to the opposition strategies. The quantification of the intensity of the use of frames is useful for comparison and a simplification of the complex situation of the debate. Section 5.2.3 presents the findings on anti-elitism by opposition party groups. This step of the analysis is

important to distinguish the communicative strategy of anti-establishment parties (H1 a). Section 5.2.4 concludes.

### ***5.2.1. The practice of EU plenary debates***

This Section 5.2.1 starts out with a brief analysis of the overall number of plenary debates and their link to the committee stage. This overview helps to understand the EU scrutiny approach of the two chambers. A rough idea of the salience of EU affairs in each chamber contextualizes the framing analysis below.

Overall, I identified 145 debates with a focus on EU issues for the *Bundestag* and 79 for the *Nationalrat* in the time period from September 2009 to September 2013.<sup>80</sup> The German chamber held almost twice as many debates with an explicit EU theme. In the plenary debates of the *Bundestag* a share of the speeches is not actually performed on the floor, but only provided in the minutes. The debates protocolled only were excluded from this overview. For the purpose of reaching out to the citizens only actually preformed debates are relevant. If the debates protocolled were included the overall number of debates were even higher.

The plenary debates in both chambers cover a broad range of topics from CFSP, the Euro crisis, energy, social affairs to migration. They take the form of government declarations reporting on the Council and European Council, topical hours and debates on urgent or regular motions. The *Nationalrat* holds specific “topical EU hours” four times a year, where party groups take turn to decide on the agenda item. These often concern broad topics, as the crisis or the EU 2020 strategy. The debates in the *Bundestag* also cover these “big questions” of the future of Europe and major political decisions. The on the floor debates in the German chamber, however, also cover a number of specific legislative proposal from the EU Commission. These more policy oriented debates result from the strategy of “mainstreaming” EU affairs and holding the final vote at the plenary level.

This study traced the plenary procedure for the EU-related motions from the three committees under analysis (EAC, economy and social affairs). The *Nationalrat* did not debate the EU initiatives in the plenary, as the EAC used its right to vote instead of the plenary. Thus, the day-to-day policymaking on EU issues, which the sub-committee on EU

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<sup>80</sup> Ten debates in the *Nationalrat* took place in the period from September 2008 to September 2009. These were excluded for this comparison of the activities of the two chambers, as they occurred before the legislative period of the *Bundestag* began.

affairs is responsible for, does not arrive at the plenary. The *Bundestag* involves the plenary for final votes.<sup>81</sup> Almost one-third EU-related motions (32 of 108) from the three committees of the *Bundestag* were debated in a first reading in the plenary. Close to two-thirds (54 of 108) were debated on the floor in second and third reading.<sup>82</sup> The different link of the committee and plenary stage in the two chambers explains the difference in overall salience of EU issues in plenary debates. The “mainstreaming” of EU affairs in the *Bundestag* leads to a regular involvement of the plenary on EU affairs and more policy-oriented debates.

This study selected three debates of each chamber for content analysis. This introductory section on the practice of EU scrutiny provides an overview on the content of these debates.

The financial and debt crisis was a dominant issue in the debates on the EU in the period of investigation from 2008/9 to 2013. The crisis presented a threat for the economic wellbeing of the Euro zone countries and put the basic premises of EU integration into question. The first debates dealt with the European Council meeting on the 24 and 25 March 2010, where heads of state and government reacted to the dramatic developments in Greece in early 2010. It became more and more apparent that Greece would not be able to refinance itself at the markets. At the European Council meeting, the heads of state or governments agreed to support Greece with bilateral loans and through the International Monetary Fund (IMF). At this point of time Greece was still the only EU member state unable to refinance at the private markets. The debates were coined by the so called “no bailout clause” (Art. 125, TFEU) according to which member states would not be liable for others debts. The uncertainty on how a financial bankruptcy of a small state like Greece would affect the rest of the Euro zone and the EU was omnipresent.

A second set of debates included in analysis, both on 14 December 2011, concerned the Euro group and European Council meetings on 8 and 9 of December 2011. The context of debate had changed significantly since March 2010. The heads of state and government had reacted to the crisis by installing the European Financial Stability Facility (EFSF) in May 2010. Not only Greece depended on external aids. Ireland and Portugal both found

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<sup>81</sup> Party groups in the German lower chamber follow the voting behaviour in committees in close to 100 per cent of the cases. Only on six occasions did an opposition party alter its behaviour from committee to plenary stage. These alterations were limited from a shift from abstention to support or to a negative vote and only concerned initiatives from other opposition party groups, not the government.

<sup>82</sup> Debates regularly covered several of these initiatives at a time. The initiatives from committees under analysis, in consequence, fed into overall 21 debates in first reading and 20 debates in second and third reading.

themselves in need of financial support from the EFSF (in November 2010 and May 2011 respectively). In November 2011, the European Parliament and the Council of Ministers had decided upon the “Sixpack” legislation that intended to address the problems of the Euro crisis in more structural, not just symptomatic, level.

The plenary debates in Austrian and Germany on 14 December 2011 dealt with the most recent developments of the Euro crisis. The French and German leaders had advanced the proposal to change Art. 136 TFEU to enable a permanent “European Stability Mechanism” (ESM) that would follow upon the temporary Euro rescue fund, the EFSF. The Euro group decided on a number of items on more coordinated economic governance at EU level. Stronger budget control should be achieved through (quasi-)automatic sanctions for a member state with a deficit over three per cent of the GDP. It was further decided that the functioning of the ESM should be preponed to July 2012 and an urgent use of this rescue fund be possible with qualified majority vote (85 per cent of the votes). Yet, these changes could not be integrated into EU law, since the United Kingdom did not support the agreements. The decisions were thus implemented through an intergovernmental treaty among the other 26 EU member states. The strongest lines of conflict in the debates in December 2011 were about the appropriate reactions to the Euro crisis: In how far should the EU create transnational liabilities? And is austerity a way out of the financial and debt crisis?

The third set of plenary debates on 19 and 21 February 2013 had the multiannual financial framework (MFF) of the EU as subject of discussion. The MFF defines the maximum amounts of annual EU spending on different policy fields for a seven-year period (here 2014 to 2020). It reflects the political priorities of the EU. This long-term budgetary planning intends to create reliable and predictable structures for all member states. Annual EU budgets are adopted based on the MFF. Both countries under investigation are net-contributors into the Union. The governments are thus under pressure to justify the investment to the EU budget. De Wilde (2014: 1076) argues that the EU budget is a focal point of political contention as long as treaty reform is *de facto* inhibited. The budget concerns socio-economic issues as much as identity issues on cross-border financial transfer. Conflict arises on how much and for which political priorities a member state should contribute to the EU budget. The Euro crisis casts its shadow over the MFF debates. On the one hand, the perception of most urgent problems in Europe is influenced by the crisis, e.g. youth unemployment. On the other hand, MPs compare the contributions to the



MFF to the expenditures for financial guarantees under the EFSF and ESM. The “cost of Europe” is a focal point of political contention.

The content analysis condenses the lines of conflict of the extensive text corpus. In the 92 speeches under investigation, I coded 1,520 framings and 700 references to other parliamentary actors. Figure 11 presents an overview of the framing in the six debates as sums of relative weighted frames of all party groups. The frames are organized along nine topics.

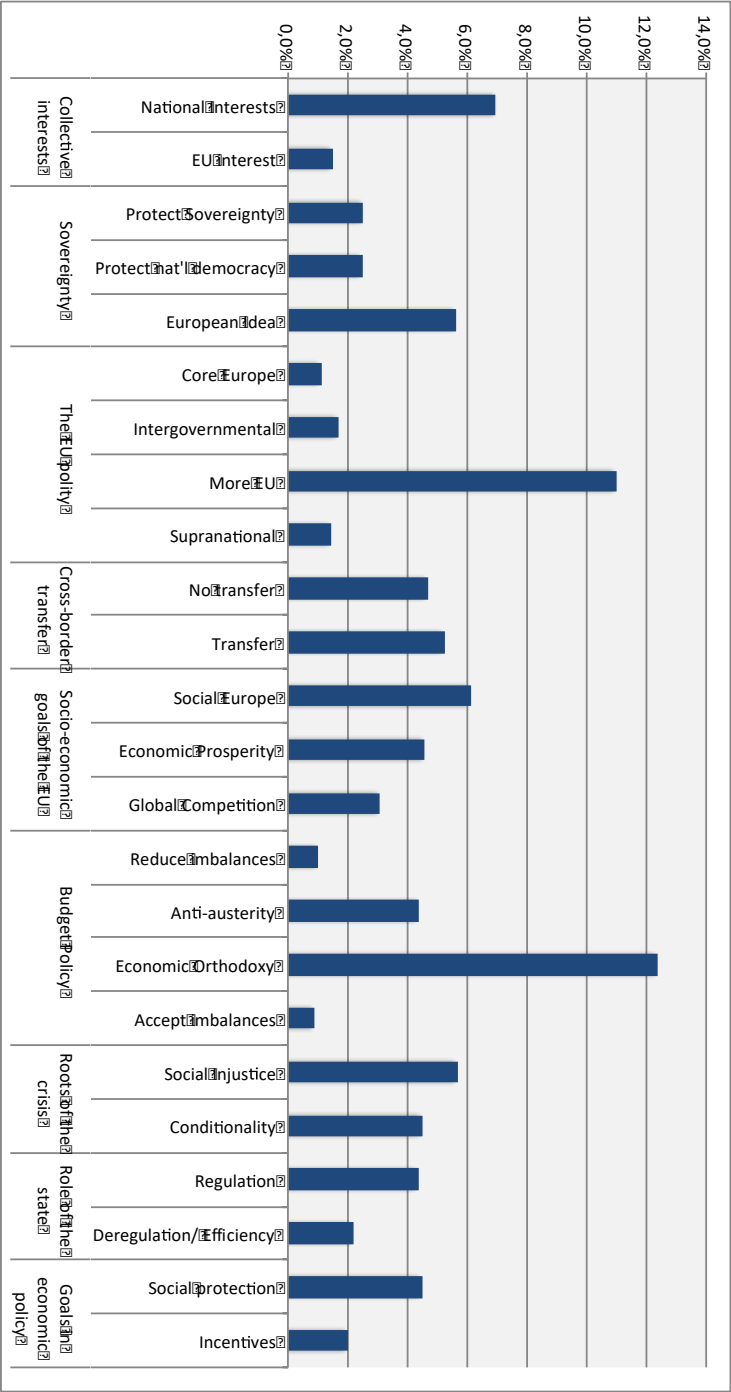


Figure 11: Frames in per cent of total number of weighted frames of all party groups.

Figure 11 demonstrates the overall presence of individual frames in the six debates under analysis. It shows the frequency of each of the 22 frames as share as share of all codings. Eleven of these frames show some presence in the debates (between 4 and 8 per cent). An equal number of frames are used with relatively little frequency (below 4 per cent). Two frames stick out with a high share of over ten per cent of all codings. The relatively unspecific frame termed “More EU” and the request for more “Economic orthodoxy” are the two most vehemently argued frames in the time period under investigation.

The following section presents the opposing frames on the nine topics that evolved from the analysis. The presentation of the results includes the framing by opposition as well as the governing parties. The party groups in government are the point of reference to measure competition by opposition parties. Their framing also indicates where competition by opposition parties is successful. Where governing parties fear the attacks from opposition they justify their actions and positions more thoroughly. Both governments were coalition government. In Germany, the CDU/CSU formed a centre-right coalition with the junior partner FDP. In Austria the two largest parties, SPÖ and ÖVP, coalesced in a grand coalition as typical for consociational democracies. Official statements or final decisions indicate only one position for the government parties. In discourse, the difference in positions between the coalition partners becomes apparent. Results of the framing analysis are therefore not aggregated to a single government position, but indicate the position of each governing party separately. The difference of position between opposition and governing parties has to be taken into account towards each coalition partner in case their positions differ.

The theoretical chapter (Section 2.3.2) developed the scope conditions for each of the two dimensions of political conflict relevant for Hypothesis 2. The positional distance of an opposition party to the government on the left-right dimension should predominantly influence competition on socio-economic issues. The cultural dimension of conflict is expected to influence party competition on the identity matters and proper EU integration (allocation of competences and enlargement).

### ***5.2.2. The cultural dimension of conflict***

This Section 5.2.1 presents the results for those topics, where the theoretical chapter argued for the relevance of the cultural dimension of political conflict. In the context of EU affairs, two main issues are expected to be framed predominantly along the TAN-GAL dimension:

identity-matters and EU integration. It starts out with issues closely related to collective identity, that is the in-group whose interests are propagated, the question of national sovereignty, the polity design of the EU and cross-border redistribution in times of the crisis or the general budget debates. The frames that concern identity-matters relate closely to the overall support or critique of European integration by a party group. Who is considered a member of the in-group? Who is excluded from the national or European “imagined community” (Andersen 1993)? How permeable should national borders be?

The first aspect related to identity juxtaposes “national interests” against “EU interests” (Figure 12).

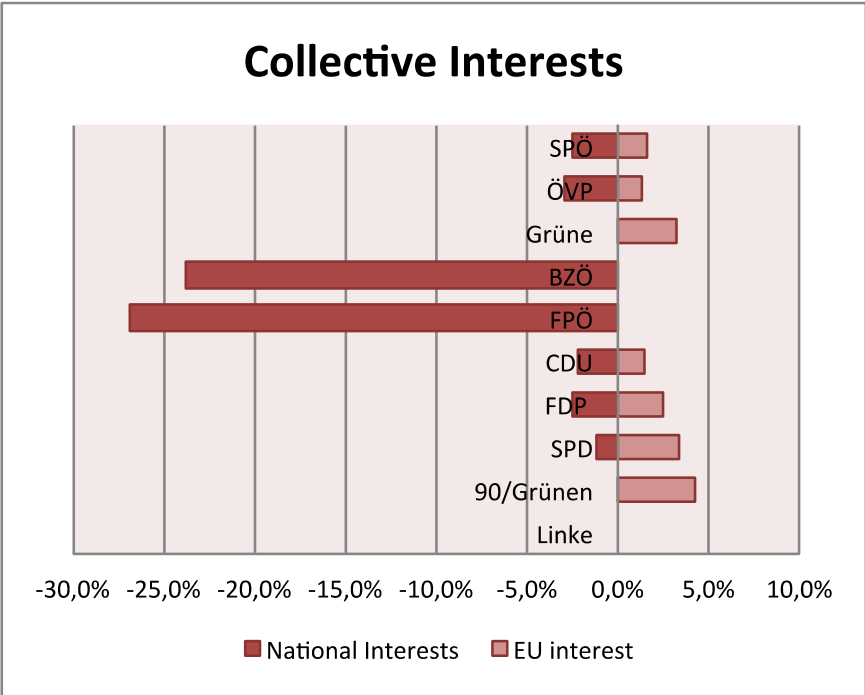


Figure 12: Framing on collective interests.

The two frames were coded only at those instances where national or EU interests are addressed in the sense of either-or-options in a zero sum game. The frame “EU interests” is for example used to pitch national egoisms against the European common interest:

“Sie [die europäischen Institutionen] sind im Zweifel der bessere Hüter des Gemeinschaftsgedankens, als wir es sein können, die wir häufig in nationalen Interessen denken müssen. Deswegen: Mehr Mut zu mehr Europa.” (Werner Hoyer, FDP, 14 Dec 2011)

The governing parties in both countries use the frames of national interest with less than five per cent of their speaking time (SPÖ with 2.6 per cent, ÖVP with 3.0 per cent, CDU with 2.2 per cent and FDP with 2.5 per cent). The defense of national interests has some presence in government discourse, though limited in scope. All government parties had to justify the net-contributions to EU level under the crisis measures and the MFF. Their

statements under the “national interests” frame appear as justifications for these significant burdens for the national budgets. The contribution to the EU level would be in line with national interests. In the German debates the governing coalition focused more on the justification of the crisis measures. In the Austrian debate the justification of the MFF commitments receives equal attention as the crisis measures.

The most important finding regarding the “collective interest” topic is the exceptionally strong reference to the frame “Member state interests” by the FPÖ and BZÖ. The two anti-establishment parties spend about a fourth of the coded weighted frames on the defense of national interests in debates on the Euro crisis and the EU budget (BZÖ 23.8 per cent, FPÖ 26.9 per cent). None of the other parties positions that strongly on the interest-related frames or any other individual frame. The BZÖ and FPÖ are the only parties in the sample that position clearly towards the TAN-pole of the cultural dimension. However, the Green party is more distant to the government towards the other extreme on that same dimension. Thus, Hypothesis 2b can only partially explain the results on this topic. The two anti-establishment parties much more fervently support the national interest frame than their position on the cultural dimension would explain. The use of the frame “national interest” can better be explained by Hypothesis 1: Both parties use it as fierce critique of the governing parties “selling-out” Austrian interests at EU level during the Euro crisis and in the MFF negotiations, e.g.:

“Wie können Sie den vielen Arbeitslosen in Österreich klarmachen, dass Sie hier, voller Stolz, diese Milliardenversprechungen machen? – Das verstehe ich nicht! In Österreich suchen 400 000 Menschen, die nicht einmal eine Perspektive haben, Arbeit. Die Jugendarbeitslosigkeit steigt. 60 000 Jugendliche in Österreich haben keinen Job, Herr Bundeskanzler! Sie machen sich Sorgen um die Spanier und die Portugiesen. Sie sind Bundeskanzler von Österreich! Kümmern Sie sich endlich einmal um die Menschen hier in unserem Land, wenn Sie gewählt werden wollen!” (Josef Bucher, BZÖ, 19 Feb 2013)

The citation demonstrates how the BZÖ positions itself as the defender of the interests of the “Austrian people” against an ignorant government. The defense of Austrian interests takes central stage in the competition of these two parties with the incumbents. It closely links to their anti-establishment approach. Members of government are attacked personally and depicted as corrupt, weak and incompetent in these international negotiations.<sup>83</sup> The following quotation demonstrates this link and the perception of an incompatibility of EU and national interests:

“Herr Faymann, Ihnen sei eines zum Abschluss gesagt: Ein Bundeskanzler des Volkes sind Sie nicht. Ein Abkanzler des Volkes, das sind Sie!

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<sup>83</sup> The results of the anti-elitism approach of the analysis in Section 5.2.3 further support this argument.

(Abg. Strache: Das ist es!)

Und damit sind Sie ein Kanzler der Kommissare.” (Herbert Kickl, FPÖ, 14 Dec 2011)

The last sentence of this statement implies that the interests of European Commissioners are not in line with those of the Austrian people. The chancellor is asked to defend Austrian interests in Brussels. EU negotiations are understood as zero-sum game following the logic of exclusive national identities. The strong emphasis on national interest is at the core of the communicative strategy of the BZÖ and FPÖ. The “Collective interest” frame scores highest of all individual frames in the debate and influence the perspective on several other issues in the debates on the Euro crisis and the MFF.

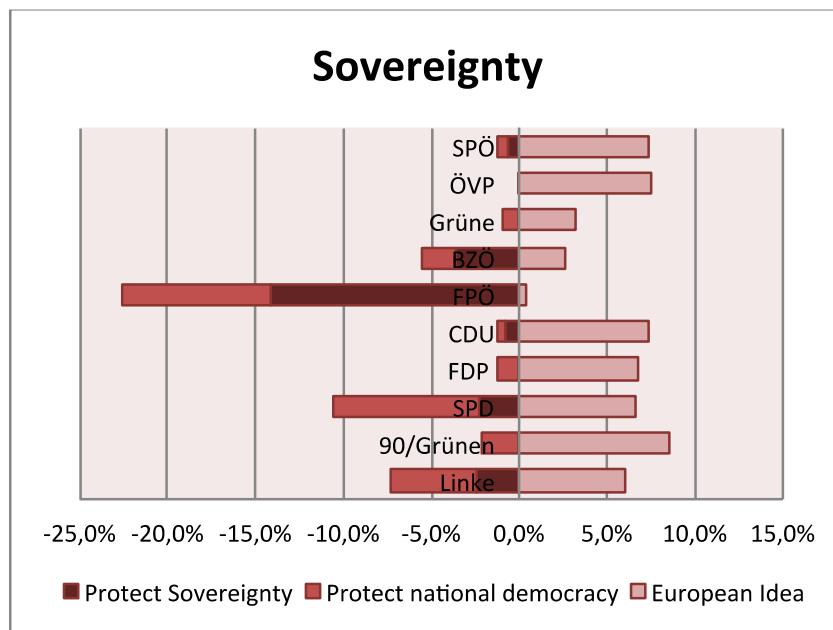


Figure 13: Framing on sovereignty.

The identity issue covers a second group of opposing frames: “Protect national sovereignty” versus the “European idea”. The national sovereignty frame reflects the perception that the national community is the first reference point for a collective identity (see Risse 2010 on exclusive national identities). The frame covers expressions on the need to protect national institutions and the autonomy of the member states (see Helbling et al. 2010). The “Protect national sovereignty” frame has a sub-category, “Protect national democracy”. It is differentiated as it demonstrates important differences in the use of the sovereignty frame across party groups. The democracy frame covers statements that argue for protecting the national institution of democracy, which is threatened due to the EU. The frame “European idea”, on the other hand, includes all statements in appraisal of international cooperation: MPs may demand European unity or argue for a shared history

and values and a community of peace. The frame implies identification with the European community as a whole (Risse 2010, Kantner 2016). How are the different sets of frames used by the party groups?

All regular parties – governing and opposition – address the broad frame „European idea“ with similar frequency (of 6 to 8 per cent). The governing parties often use it as a general reference in the concluding paragraph of the speech that somehow refers to the value of European unity.

“Auch wenn kein Grund zu übertriebenem Jubel besteht, es kann und darf keinen Zweifel daran geben, dass die Europäische Union ein unverzichtbares Projekt zur Sicherung von Frieden und Wohlstand in Europa ist. Und dieses Projekt muss uns auch etwas wert sein.” (Karlheinz Kopf, ÖVP, 19 Feb 2013)

This approach reflects a general pro-European consensus among the regular parties.

There are four party groups that score on the opposing “Protect national sovereignty” frame: the BZÖ and FPÖ as well as the SPD and *Linke*. As the sub-category on protecting democracy demonstrates, there is a qualitative difference between the culturally conservative and the economically left-oriented parties in the use of this frame.

The FPÖ questions the general consensus on EU integration with the strong focus on national sovereignty (with 22.6 per cent). It is the only party that does not support the frame “European idea”. The FPÖ uses equal emphasis on the “National sovereignty” frame as on “National interests” presented above (Figure 12). That implies that almost half of the coded framings for this party deal with national interests and sovereignty. FPÖ vehemently propagates a more intergovernmental and state-centred approach to EU integration. The framing of the BZÖ runs qualitatively in the same direction yet does not put such extreme emphasis on sovereignty as the FPÖ.

Both anti-establishment parties also argue for the protection of democratic institutions at domestic level within the sovereignty frame (FPÖ with 8.5 per cent, BZÖ with 1.8 per cent), for example:

“Genau das ist der entscheidende Punkt: Wir Freiheitliche haben immer darauf aufmerksam gemacht und gesagt, dass es doch eine Selbstaufgabe des Nationalrates ist, was da [durch den Lissabon Vertrag] stattgefunden hat. Und genau das wollen wir nicht! Wir Freiheitliche wollen keine Selbstaufgabe des Nationalrates!” (Heinz-Christian Strache, FPÖ, 24 Mar 2010)

The FPÖ links the democracy frame to the critique of the Lisbon Treaty. The FPÖ frequently presents the current form of EU integration as threat for national sovereignty. It is closely linked to the sovereignty of the nation state. Both anti-establishment parties

regularly demand referendums to enhance the democratic legitimacy of EU-related decisions. Both, the loss of autonomy through the Lisbon Treaty and the lack of referendums, are perceived as a significant reduction in national sovereignty. They express a lack of influence over the design of the EU polity by the national representatives and the people.

Protecting democracy is also of concern of the SPD (with 8.3 per cent) and the Left (with 4.9 per cent). A recurrent theme in debates on the Euro crisis was the critique of executive dominance in crisis managing and the undermining of parliamentary budget power (see also Crum 2013):

“Und jetzt wieder etwas Neues: Wieder keine Entscheidung im Parlament, aber deutsches Steuergeld geht jetzt über die Bundesbank an den IWF und fließt von da aus wieder nach Europa zurück.

(Jürgen Trittin [BÜNDNIS 90/DIE GRÜNEN]: Das nennt man Geldwäsche!)

Diese Konstruktion hat offensichtlich nur einen einzigen Zweck: diesen Bundestag zu umgehen, und das geht eben nicht – ganz einfach.” (Frank Walter Steinmeier, SPD, 14 Dec 2011)

These arguments present decision-making at EU level as a threat for national democratic institutions. However, they do not question the fundamental logic of EU institutions or the allocation of competences to the EU level.<sup>84</sup>

The identity topic is clearly related to the cultural dimension of conflict as Hypothesis 2b expected. The mainstream party groups share a vision on common “European interests” and support the broad frame of the “European idea” on shared values and unity. However, these pro-European frames remain unspecific and do not formulate a clear design of or vision for deeper EU integration. The two anti-establishment parties disrupt this pro-European consensus. Especially the FPÖ vigorously demands the protection of national sovereignty and national interests. Half of its frames concern the national identification. The positional distance on the cultural dimension does not correspond to the extremity of this competitive strategy. The use of these frames is paired with fierce critique of government staff (see below Sector 5.2.3), which supports the expectations of Hypothesis 1 on the relevance of the anti-establishment party type.

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<sup>84</sup> Both Green opposition parties do not score on the “protect national democracy” frame. This does not mean that they were not concerned about the democratic quality of the decision-making around the crisis mechanism. Much more, they suggested an increase in the democratic quality at EU level, either through strengthening of the European Parliament or referendums at EU level, as a solution.

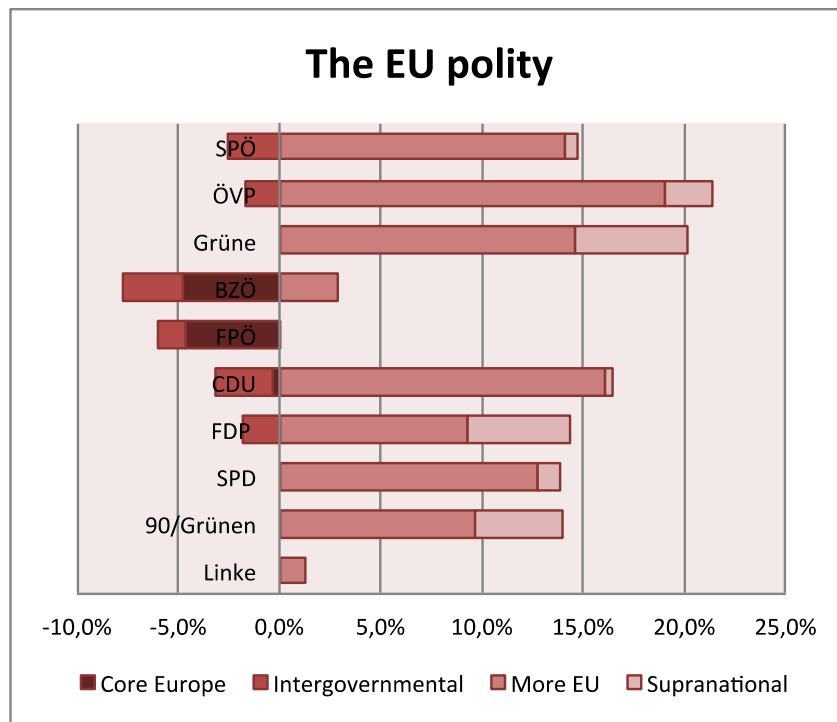


Figure 14: Framing of the EU Polity.

The six debates on European Council meetings under investigation triggered intensive discussions on the design of the EU polity. The Euro crisis and the EU budget concerned such fundamental questions of EU integration that they spark reflections about the purpose and goals of the integration project. A significant share of speaking time was dedicated to arguments on the design of the EU polity (15.3 per cent, see Figure 11, Section 5.2.1). The extent to which member states should or should not compensate economic recessions across borders is a question of EU integration. The two topics of the crisis and the EU budget are expected to trigger competition along the cultural dimension of conflict similar to the identity topics (collective interest and sovereignty, Figure 12 and 13) (H2b). Overall, the results show a similar pattern as on the two identity-related topics. The mainstream parties show a relatively unspecific pro-EU consensus, which is challenged by the anti-establishment parties. Yet, there are some different approaches by the Green and left-oriented party groups regarding EU integration.

The most frequently recurring frame in the topic of the EU polity is the rather unspecific request of “More EU”. This frame and the support by mainstream parties is similar to the “European idea” framing in Figure 13 above. The overview on the frequency of all frames (Figure 14) demonstrated that the claim for “More EU” was the second most frequently used frame in the debates under analysis. All generally pro-European parties argue for “More EU” as solution for the crisis or other policy problems. This frame is coded when no



further specification of the kind of EU activity is envisaged. For example, in this statement by an MP of the German liberal party: “Wir werden uns dabei nicht auf Deutschland beschränken, sondern auch auf europäischer Ebene Initiativen ergreifen.“ (Birgit Homburger, FDP, 25 Mar 2010) or by an Austrian SPÖ-MP: “Wir sind für klare Ziele. Wir sind für gemeinsames Arbeiten innerhalb der EU.“ (Christine Muttonen, SPÖ, 14 Dec 2010) The CDU/CSU also frequently argued for stronger control at EU level within this frame. All governing parties use this vague pro-European frame quite frequently (SPÖ with 14.1 per cent, ÖVP with 19.1 per cent, CDU with 16.1 per cent and FDP with 9.3 per cent). The two Green parties (with 14.6 per cent in Austria and 9.7 per cent in Germany) and the SPD (with 12.8 per cent) rejoice in the same general call for Europe as solution for the crisis and to other policy problems. A clear vision of the design of this deepened EU integration remains a *desideratum*.

Only in a rather limited number of statements, MPs specified how integration should be strengthened coded as supranational. Overall, party groups scored rather low on this frame. The two Green parties are the strongest supporters of a more supranational institutional setting, e.g. more competences for EU institution or more qualified majority voting in the Council (with 5.6 per cent in Austria and 4.3 per cent in Germany). The FDP also scored on the “Supranational” frame. However, this is owed entirely to a fervently pro-European speech by Werner Hoyer at his ultimate speech in the *Bundestag*. His contribution represented more of a personal statement than the ordinary party competition on this special occasion and was applauded by MPs from all party groups. The stronger support for a supranational organisation of the EU polity from Green parties is in line with its positional distance to the government and lends support to Hypothesis 2b.

Three parties, BZÖ, FPÖ and *Linke*, do not or only barely engage in the call for “More Europe”. The German Left is the only party that abstains from any proposal on the design of the EU polity. The lack of support of either intergovernmental or supranational logic does not disrupt the general pro-European consensus.

Similar to the identity topics, BZÖ and FPÖ are disrupting the pro-EU consensus on this topic. The two Austrian anti-establishment parties use the occasion to present an alternative intergovernmental vision of the EU. Though all government parties support a more intergovernmental Europe (mainly arguing for subsidiarity), the BZÖ and FPÖ are the only ones who formulate a clear counter-vision on a “Core Europe” or “Europe of Fatherlands”. This frame focuses on the competences and autonomy of the member states within the EU.

They question the necessity to include all member states in a „one-speed Europe“, for example:

“Daher sage ich Ihnen, wir müssen über ein Kerneuropa nachdenken. Wir müssen über ein Europa nachdenken, in dem zunächst einmal Länder zusammenarbeiten, die sich an Spielregeln halten.” (Ewald Stadler, BZÖ, 24 Mar 2010)

The Euro-scepticism of the two anti-establishment parties does not result in the demand of an Austrian withdrawal from the European Union. They both propagate an intergovernmental vision of a core-Europe of net-payers. During the Euro crisis this translates to the demand to exclude the crisis countries from the common currency, as the following quotation shows:

“Staaten wie Griechenland, deren makroökonomische Kennzahlen einen Verbleib in der gemeinsamen Währungsunion nicht rechtfertigen, davon auch ausgeschlossen werden können. Darüber müssen wir nachdenken und diskutieren; sonst werden wir nämlich auch in diese Krise hineingezogen, ja hineingerissen! Die gesamte Eurozone in der heutigen Art und Weise, wie sie besteht, ist schon auch zu hinterfragen.” (Heinz-Christian Strache, FPÖ, 24 Mar 2010)

FPÖ and BZÖ differ from all other party groups with their claim of a partial disintegration or fragmentation within the EU. Their alternative vision of core-Europe disrupts the overall consensus on the current form of EU integration.

The culturally conservative parties in the Austrian parliament develop a distinct vision of a core-Europe of net-payers. This presents a unique competitive strategy within the sample of opposition parties under investigation. They disrupt the pro-EU consensus that the mainstream parties express in the support of the very vague frame “More EU”. The German Left is silent on the issue, neither supporting nor contradicting the governing parties. Both Green parties develop a positive vision on a more supranational order, however, not with the same emphasis as FPÖ and BZÖ regarding a “Core Europe”. In sum, the results point to the relevance of the cultural dimension to explain framing on the design of the EU polity (H2b).

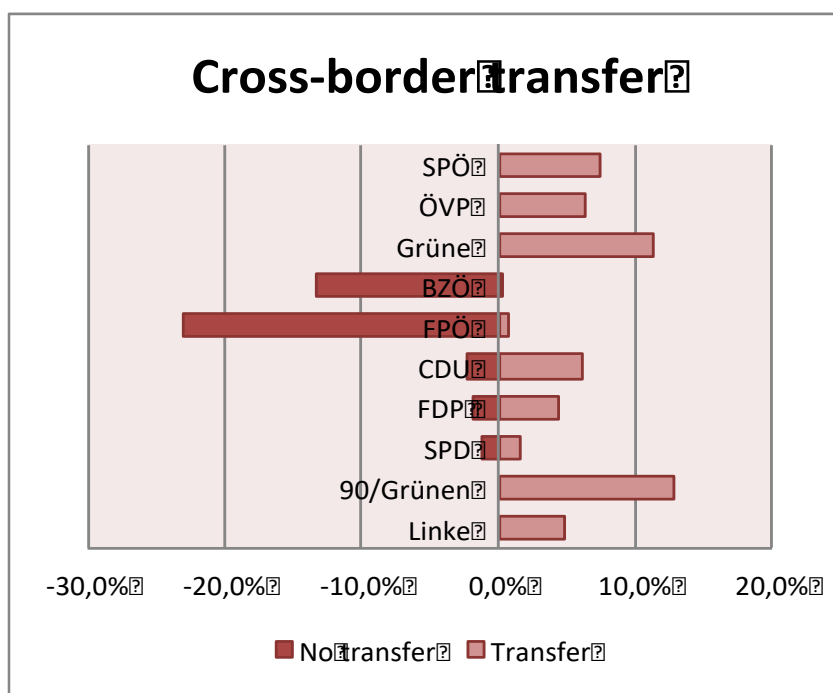


Figure 15: Framing of cross-border transfer.

Cross-border transfer was an extremely contentious topic in the period of investigation. Figure 15 shows the results on the clear juxtaposition of the frames “transfer” and “no transfer” payments to the crisis state or economically less developed regions in the EU. There was no clear-cut legal regulation on the liabilities across borders within the Union. On the one hand, Article 125 TFEU states that EU member states should not be held liable for the commitments by another government (“no-bailout clause”). On the other hand, a significant amount of the EU budget has always been redistributed through structural and regional funds. During the period of investigation on 25 March 2011, Article 136 (3) of the TFEU was amended by the following statement: "The Member States whose currency is the euro may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole. The granting of any required financial assistance under the mechanism will be made subject to strict conditionality". The extension to Article 136 enabled a permanent mechanism for cross-border support in urgent cases (see Section 4.3.3).

The results on the topic of cross-border transfer are expected to follow primarily the cultural dimension (H2b). However, the question of shared transnational financial liabilities links aspects of economic policy with those of identity. Is redistribution from richer to poorer regions a useful tool of economic policy? Is there a sense of community within the EU that suffices to justify redistribution across borders (see Risse 2010)? Thus, the topic

relates to the broader conception of the EU as construct for mutual benefit or community of shared fate (see above in this Section 5.2.1 on “collective identity”).

The governing parties range somewhere in the medium support level for transfer payments. The governing parties need to justify their decisions at EU level, which burden national budgets dramatically, for example:

“Die Frage, die sich aber aktuell stellt, ist, ob wir jetzt, in diesen schwierigen Stunden, Wochen und Monaten, einander unterstützen, den Zusammenhalt stärken oder ob wir ein Konzept verfolgen, das in Wirklichkeit die Eurozone und die Europäische Union begraben würde.” (Werner Faymann, SPÖ, 14 Dec 2010)

The Austrian chancellor presents his decision in light of the future of the common currency and the survival of the EU. The depiction of the Euro crisis as an existential threat was termed “the European rescue discourse” by Puntischer Riekman and Wydra (2013). Their study showed that it served forging majorities for EU and government proposals for the crisis mechanisms. Governments were required to find support from a two-third majority in parliament for the revision of Art. 136 and struggled to justify the potential burdens of national budgets by the crisis measures towards the citizens.

Yet, the strongest supporters of cross-border financial support are the two Green parties. Both demand an increased budget and solidarity across borders. The fiercest critique stems from the FPÖ, followed by the BZÖ. This first finding clearly supports the relevance of the cultural dimension for framing of cross-border transfer (H2b). The two Green parties demand more support for the crisis countries. The Austrian Greens are especially concerned with youth employment in Southern Europe. Their Universalist perspective leads them to argue for empathy and support across national borders.

The two culturally conservative parties in Austria take the opposite stance and vehemently criticize transnational financial support. FPÖ and BZÖ frame the payments as running counter to Austrian interests. They argue it would take several generations to pay of the incredibly high liabilities provided during the Euro crisis. The incumbents would, thus, jeopardise the future of Austrian citizens. However, the frame of “No transfer” is not necessarily argued by a nationalist perspective, as the TAN-position of the two party groups would lead to expect. Much more, the criticism of the political elite is in focus of the BZÖ’s and FPÖ’s position. Both party groups argue in favour of supporting the ordinary people in Greece, Spain or Portugal. However, they see the Southern-European political systems as corrupt and inefficient. The support by net-contributors would therefore not

arrive at those in need. The following statement exemplifies the scepticism towards the success of transfer payments:

“Ich komme zum Schluss: Gesundes Geld in ein kaputtes System zu pumpen, das ist nicht Rettung, das ist fahrlässig. Und genau diese Fahrlässigkeit, die darf man einfach nicht mehr so unkommentiert stehen lassen, da muss man sich auch dagegen wehren!” (Heinz-Christian Strache, FPÖ, 14 Dec 2011)

This argumentation links to the anti-establishment stance of the party group. As on all topics of the cultural dimension, the logic of Hypothesis 2b is enhanced by the competitive strategy of an opposition party with an anti-establishment character (H1).

Finally, the left leaning opposition parties support transnational redistribution. The SPD and *Linke* do not put a lot of emphasis on the need for European solidarity. However, they support the measure and argue in line with the redistributive logic of their left wing ideology.<sup>85</sup>

The topic of “cross-border transfer” links foremost to the cultural dimension of conflict (H2b). The Green parties are the strongest supporters of trans-national solidarity. Both Green parties think in terms of one European community, where exclusive national identities should be overcome. The Austrian and German Greens criticize the governing parties for their conditionality in transnational support. The BZÖ and FPÖ attack the coalition parties from the opposite side. They argue fiercely against transfer payments among European member states. Their negative position on transnational liabilities is strengthened by the distrust towards established parties and the perception of the ineffectiveness of existing structures lending equal support to Hypothesis 1 on the party type.

The results on identity issues and EU integration all corresponded clearly more to the cultural dimension than the socio-economic one (Hypothesis 2b). The governing and some of the mainstream parties develop an unspecific but clearly positive vision on more EU integration. Yet, barely delineate *how* a stronger role for the EU should be implemented. The anti-establishment parties are the only ones addressing a radically different vision on Europe (“Core Europe”). The Austrian Euro-critical parties disrupt the pro-European consensus and present a clear alternative of a core-Europe of net-contributors. The strongly divergent approach and the expression of distrust towards political actors supports the

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<sup>85</sup> One could argue that the SPD is supportive, because it supported the revision of Art. 136 and installation of the ESM. However, the Left party did not cooperate with the government on the crisis measure and abstains from criticism as well. The positional distance – or proximity in this case – therefore appears as the better explanatory factor.

expectations of Hypothesis 1. The results on topics related to the cultural dimension show that the two anti-establishment parties strongly emphasize those frames that can be linked to the criticism of political elites (see Section 5.2.3).

### **5.2.3. *The socio-economic dimension of conflict***

This Section 5.2.2 investigates the framing related to the socio-economic issues in the plenary debates of the *Bundestag* and *Nationalrat*. The following five topics took centre stage in the debates on the Euro crisis and the MFF. The presentation of results in this Section 5.2.2 starts out from the “Purpose of EU integration” as it connects best the cultural dimension of conflict. The chapter continues to investigate two socio-economic topics that clearly link to the Euro crisis (budget policy and the roots of the crisis). The final two topics review classic questions of the left-right dimension: the (de-)regulation of the economy and redistribution within a society.

Two debates in each parliament dealt almost exclusively with the crisis where the concepts of austerity and a “transfer union” sparked intense debates. The two themes also impacted the third set of debates on the MFF. The Multiannual Financial Framework requires that member states commit to a specific contribution to the EU budget and redistribution of this budget among the member states. Figure 16 shows the use of framing on the social-economic goals of the EU, Figure 17 assesses budget policy, before Figure 18 turns to cross-national transfer. Finally, the chapter presents the results on the two topics “role of the state” (Figure 18) and “economic policy” (Figure 19), which concern classic elements of the socio-economic dimension of political conflict.

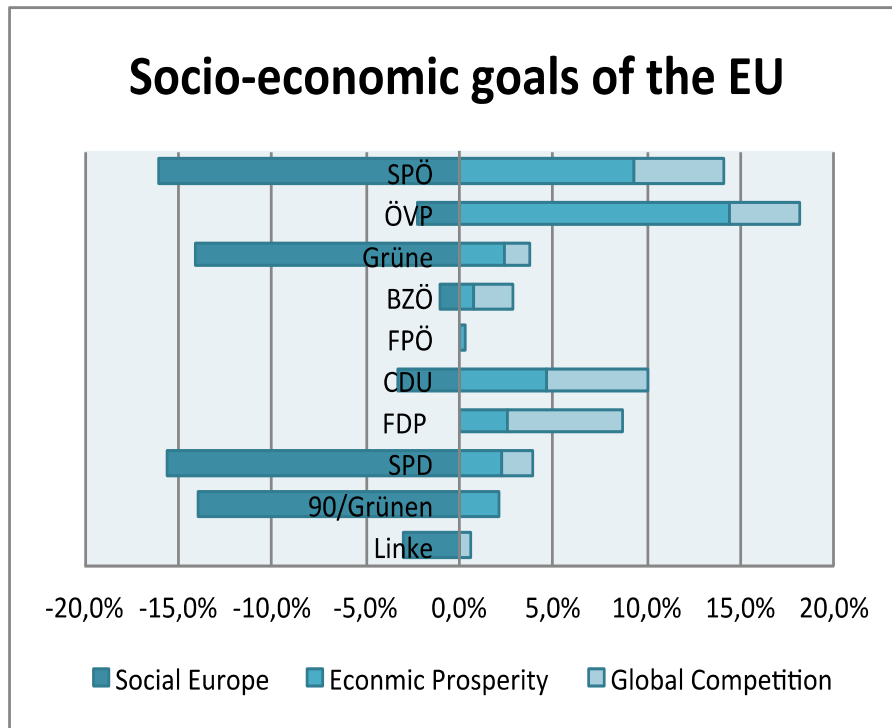


Figure 16: Framing of socio-economic goals of the EU.

Three frames were included under this heading: “Social Europe”, “global competition” and “economic prosperity”. The frames represent demands towards the EU and do not necessarily imply a positive evaluation of the status quo. They indicate ideals that party groups formulate towards EU integration. “Social Europe” represents a classic left of centre frame, which claims that social and labour standards should be installed at EU level to safeguard the achievements of the left (Hooghe et al. 2002). The frames of “global competition” and “economic prosperity” on the other hand correspond more to an economically right-wing ideology. The European Union is justified as a body that can enhance the competitiveness of European economies in face of global competition, e.g. by China, Brazil and the United States. The EU’s purpose is therefore argued in terms of utility and an increase in material welfare of EU member states. Following Helbling (2010) the frame “economic prosperity” is classified as a typical right-wing argument and therefore positioned as counter-argument to “Social Europe”.

Overall, the results on the goals of EU integration correspond to the left-right dimension (H2a). All four governing parties justify EU integration through “global competition” and “economic prosperity”. On both issues, the Euro crisis and the MFF, Austria and Germany appear as net-contributors. For the governments who are responsible to decide on these contributions to the EU level, the “Economic prosperity” frame is an important justification. It is typically used by referring to the indirect wealth of the internal market for Austrian and German economy; for example:

“Eines muss uns doch klar sein: Das ist nicht zu unserem Schaden! Österreich hat von der Mitgliedschaft in der Europäischen Union seit dem Jahre 1995, seit wir Mitglied sind, massiv profitiert.

(Abg. Dr. Belakowitsch-Jenewein: Wer sagt das? Sie?)

Wir verzeichnen jährlich ein zusätzliches Wirtschaftswachstum von 0,6 Prozent. Wir haben jährlich 14 000 zusätzliche Arbeitsplätze in Österreich, dank der besseren Chancen die wir durch die Mitgliedschaft in der EU haben.

(Abg. Dr. Graf: Teilzeitjobs!)

– Das kann sich doch sehen lassen!” (Karlheinz Kopf, ÖVP, 19 Feb 2013)

The citation by Karlheinz Kopf demonstrates the justification for Austrian net contributions to the MFF, which are argued in terms of a larger indirect economic benefit of the member state. The interjections by other MPs demonstrate the high level of contestation in the chamber.

None of the governing (or mainstream) parties developed a clear vision of EU integration that could have been captured by frames corresponding to the cultural dimension of conflict (see above 5.2.1) They supported vague pro-EU frames as “More EU” or “European idea”. However, more specific positive arguments in favour of EU integration are delivered in the framings on the socio-economic dimension. The two parties of the governing coalition in Austria stress the economic benefits of EU membership through the two frames more than any other party group. This behaviour can be understood in relation to the attacks by opposition parties who question the purpose of EU integration altogether. The governing parties in Austria more vehemently argue for the social and economic benefits of EU integration than any other party group in the sample.

The two anti-establishment parties in Austria, BZÖ and FPÖ, barely use any frames in justification of EU integration. The two parties are not straight out against EU integration as such, but propose a vision of a “Europe of the fatherlands” (see EU Polity, Figure 14, Section 5.2.1). Their vision of the EU does not correspond to any of the two traditional centre-left and centre-right framings of EU integration. The conflict over Europe among party groups is represented by the lack of support of any of these three frames by the BZÖ and FPÖ. In the German party system, the *Linke* is more hesitant to use the “Social Europe” frame than the other left-oriented parties even though its positional distance on the left-right scale is the strongest. Yet, this party group does not compete with the government on the cultural dimension either.



The variation among the pro-European parties corresponds to the left-right divide. The use of frames on the socio-economic benefits of EU integration generally follows the logic of positional distance that Hypothesis 2a formulates. The Austrian Green and the ÖVP develop clearly distinguishable visions in accordance with Hypothesis 2a (left-right scale). Within the German party system, the framing of the party groups mainly reflects the left-right conflict over the benefits of EU integration. The use of the framing “Social Europe” corresponds closely to a left of centre position of party groups. The two Social democratic parties argue strongly in favour of social and labour protection at EU level, followed closely by both Green parties. The *Linke* is the only party with a strong positional distance on the socio-economic dimension that abstains from framing on the socio-economic benefits of EU integration.

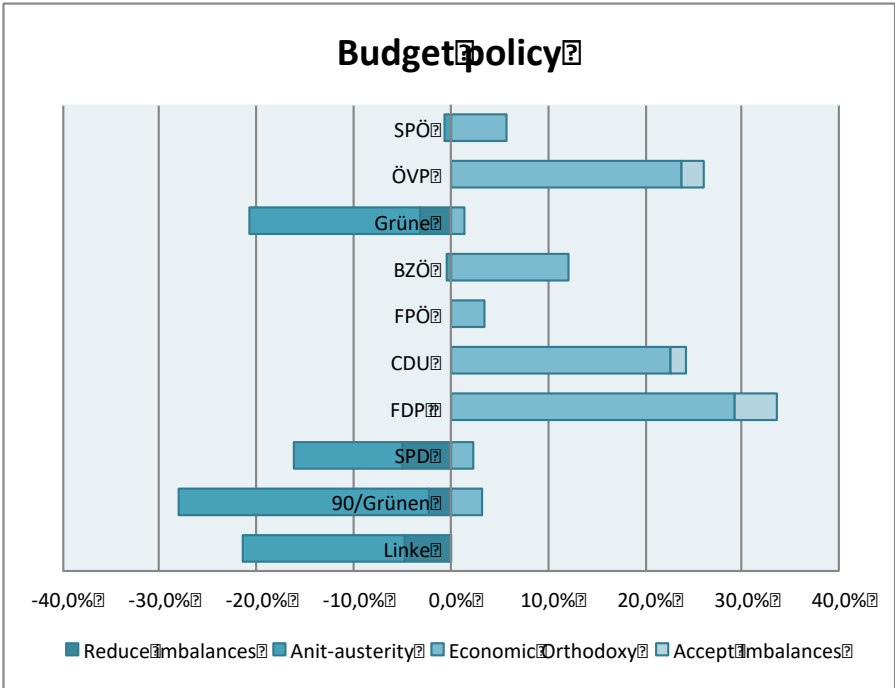


Figure 17: Framing on budget policy.

The adequate approach to budget policy during and after the crisis sparked the strongest conflict among party groups in the debates under analysis. 16.6 per cent of all frames concerned this topic (see Figure 11, Section 5.2.1). On the one hand, the governing parties – especially the economically right wing ones – argued for economic orthodoxy to combat the economic crisis.<sup>86</sup> On the other hand, the left-oriented opposition parties argued against austerity, as reduced public spending would only intensify the recession. These left-leaning party groups argued in line with classic Keynesianism against a reduction of public

<sup>86</sup> The BZÖ (with 12.1 per cent) and the FPÖ (with 3.5 per cent) support this frame as well.

investments (Maatsch 2014). Party groups position clearly on one or the other side of the spectrum of framing budget policy.

Budget policy relates to three objects within the plenary debates under investigation: the own national budgets (national), the financial support for crisis states (transnational) and the EU budget (European). The justifications by governing parties and critique by opposition parties stresses different aspects of these three interlinked dimensions of budgetary policy lending support to Hypothesis 2b. In the following, I first present the justifications by the governing parties before we turn to the critique and counter-positions of opposition parties.

As to the first object, both governments stress the need for economic orthodoxy in times of the Euro crisis. They defend their decision-making on European budgetary issues through the exceptionally high relevance and urgency of the crisis situation, for example:

“In unserer Generation wird entschieden, ob die Wirtschafts- und Währungsunion ein Erfolg bleibt oder ob sie daran zugrunde geht, dass einige Staaten über einen längeren Zeitraum weit über ihre Verhältnisse leben, in Bezug auf ihre Wirtschaftsleistung immer gewaltigere Defizite aufbauen und sich dann, wenn es nicht mehr weitergeht, hilfeschend an Dritte wenden. Das kann so nicht funktionieren. Solidarität braucht und setzt Verantwortung voraus.” (Michael Link, FDP, 25 Mar 2010)

A member of the junior coalition partner in the German government, Michael Link, links economic orthodoxy to the survival of the common currency in this statement.<sup>87</sup> Support for crisis countries is conditional upon reforms and reduced public spending in those states (see also Figure 18 on Conditionality).

Apart from this key argument, both governments stress different aspects of budgetary policy. In Austria, the SPÖ and ÖVP argue for their efforts towards a balanced national budget and the installation of a constitutional “brake” on deficit making (national level). In Germany, the governing parties do not get tired to stress their attempts in maintaining a stable European currency and achieving stability for the EU (transnational level). Deficit spending is marked as irresponsible for Germany itself and for all other EU member states. The position of the governing parties matters to understand the opposition parties’ reactions, which are of key interest in this study.

Within the Austrian party system, there are two lines of conflict between the government and opposition. The BZÖ and FPÖ score on the “economic orthodoxy” frame (Figure 17). They do not side with the government, but are their fiercest critics. The two anti-

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<sup>87</sup> See European rescue discourse, Puntcher Riekman and Wydra 2013.

establishment parties do not address austerity towards the crisis states. Their focus is on the national arena. They demand that the government be more responsible with taxpayers' money. The BZÖ expresses this argument more frequently than the FPÖ, as in the following quotation:

“Die [EU Institutionen] haben zu Ihnen, Herr Faymann und Herr Spindelegger, gesagt: Was Sie in Österreich unter einer Schuldenbremse verstehen, das ist keine Schuldenbremse! Eine Schuldenbremse ist das nicht, so wie es Sie verstanden haben, dass wir vielleicht, möglicherweise, wenn alles gut geht, im Jahr 2017 zu sparen anfangen und dann noch ohne Sanktionen, nach dem Motto: Wenn wir schon sparen, dann sparen wir nicht, sondern dann nehmen wir den Leuten einfach mehr Geld aus der Tasche! – Einen Rüffel dafür hat Ihnen selbst die Europäische Kommission, der Europäische Rat gegeben, indem sie gesagt haben: Mit diesem Papier können Sie sich wieder nach Hause schleichen!” (Gerald Grosz, BZÖ, 14 Dec 2011)

The quotation of Gerald Grosz from 14 December 2011 also demonstrates the complexity of EU multilevel politics. The opposition argumentatively uses the critique from EU level towards the own government's budget proposal. A fierce opponent in other contexts turns into an ally on this argument. The two parties install themselves as watchdogs over taxpayers' money. They argue against a balanced budget through increased revenues. Instead, reformed and more efficient state institutions should avoid public debt (see Figure 19, Role of state). They strongly critique the government deficit, especially the new borrowings and guarantee the Austrian state engages in towards the EFSF/ ESM. This framing of the budget issues links closely to the defense of “national interests” discussed above (see Figure 12). BZÖ and FPÖ position themselves as defender of the Austrian interest, a role they see the government incapable of. This result supports both, the hypothesis on the relevance of the cultural dimension (H2b) as well as party type (H1). They overshadow the general left-right logic of the framing on budget policy.

The Green party aligns with the BZÖ and FPÖ in the criticism of the government's national budget. They are similarly sceptical of overspending in the current annual budget while installing a formal constitutional debt brake for the coming years. The following quote exemplifies this critique:

“Sie haben nicht vergessen, dass wir vor vier Wochen das Budget für 2012 hier in diesem Raum beschlossen haben, nämlich Sie und die SPÖ – und was ist dort mit der Schuldenbremse, bei den 10 Milliarden € an zusätzlichem Defizit?” (Alexander van der Bellen, *Grüne*, 14 Dec 2011)

The Austrian Green party criticizes this ambivalence of the government's behaviour. Their focus is on international dimension, where they do not propagate economic austerity as solution to the Euro crisis. Much more, they strongly criticize economic austerity as a solution to the Euro crisis, just like the left-leaning German opposition parties. The “anti-austerity” frame often refers to the Euro crisis, but may also relate to the EU budget. The

debate on austerity as potential solution for the Euro crisis revolves around a fundamental dispute of left versus right economic policy: Is a reduction or increase in public spending the adequate response? Both sides deliver a number of arguments and examples and cite diverse sources, supporting their own position.

In Germany, the lines of conflict run mainly along the (economically right wing) governing and the (economically left wing) opposition parties. Except for the Green party, the variation in positional distance to the government corresponds to the framing on budget policy. The German Greens focus more on the international dimension and argue against austerity in the crisis countries. They share this approach with their Austrian counter-part. In Austria, the strongest difference lies between the ÖVP and the Green party, similar to the framing on the socio-economic benefits of the EU (see this Section 5.2.1 above). The FPÖ and BZÖ do not engage in this discussion. Their focus is on the national arena.

The basic line of argument of the left-wing opposition is that an economic recession cannot be overcome with austerity measures alone:

“Es gibt völlig unverdächtige Institutionen wie die OECD, den Internationalen Währungsfonds oder auch den „Economist“, die den europäischen Sparkurs in den einzelnen Ländern ganz massiv und heftig kritisieren. Das ist auch nachvollziehbar: Wenn alle Staaten gemeinsam überzogen sparen, dann besteht die Gefahr einer wirtschaftlichen Rezession umso mehr.” (Eva Glawischnig-Piesczek, *Grüne*, 19 Feb 2013)

At several instances the left-leaning opposition parties use conservative sources to underline their arguments. Citing opponents lends the own argument a more objective appearance. Public overspending in times of crisis is a classic left-oriented argument. The Green parties embrace this frame to a larger extent than Hypothesis 2a would expect. Their international and universalist approach explains this emphasis and again lends some support to the logic of Hypothesis 2b. They focus on the social consequences of the crisis, for example:

“Wer anfängt, aufgrund einer Identifizierung der falschen Krisenursache in Europa das Wachstum kaputtzusparen, der wird Folgendes erleben:

(Zuruf von der FDP: Sie wollen doch kein Wachstum!)

ein Europa, in dem massenhaft junge Leute arbeitslos sind. Ein Europa der Massenarbeitslosigkeit ist aber keine Stabilitätsunion. Dieses Europa fliegt auseinander. Dagegen haben Sie nichts getan.” (Jürgen Trittin, *90/Grünen*, 14 Dec 2011)

In this statement Jürgen Trittin shares the perception that the future of the EU is at stake due to the Euro crisis with the governing parties, as in the above citation of Michael Link, FDP, from 25 March 2010. However, the Green MP stresses the threat of social upheaval

and declining legitimacy of EU governance. Cuts in social welfare spending in southern European member states would undermine the legitimacy. The Austrian Greens argue similarly in the MFF debate: youth unemployment in Southern member states would risk the long-term support for the current political order, which cannot provide positive perspectives for it's as young citizens.

Figure 17 covers two more frames on the transnational aspect of budget policy (“reduce imbalances” and “accept imbalances”), which are closely linked to the conflict over austerity and the transnational perspective of the topic of “budget policy”. They further strengthen the results on the relevance of Hypothesis 2a. Party groups discuss whether macro-economic imbalances among countries of the Euro zone augment the problems. The governing parties justify the German and Austrian current account surpluses by interdependence and mutual benefit that would not show in the final numbers, e.g.:

“Die Statistik trägt natürlich, denn hinter jedem Export, den deutsche oder österreichische Unternehmen machen, stecken ja mindestens 50 Prozent Importanteil.” (Wolfgang Schüssel, ÖVP, 14 Mar 2010)

The left-leaning opposition consistently argues against this perspective.

“Es ist festgestellt worden, dass wir in Deutschland im Vergleich zu allen anderen Euro-Staaten die niedrigsten Lohnstückkosten haben. Das wird durch Lohndumping erreicht, was übrigens auch den Handel der anderen Länder deutlich erschwert.” (Gregor Gysi, *Linke*, 25 Mar 2010)

The left-right dimension of political conflict best explains the opposing arguments on the relevance of macro-economic imbalances (H2a).

The third object of the topic “budget policy” is the debate on the MFF. The lines of conflict run parallel to those on the national budget and crisis solutions. The four governing parties justify the outcome of the negotiations on the MFF by an overall reduced EU budget. A reduced European budget would be appropriate since all member states need to reduce spending. The left-oriented opposition parties criticized the cuts, as they would aggravate the economic recession in Europe and inhibit counter-measures to the crisis. The FPÖ and BZÖ, on the other hand, fiercely attack the government for selling out Austrian interests at the “EU altar”. The two parties are again motivated by protecting national interests and behave according to the logic of an anti-establishment party.

Overall, we can see a strong left-right divide on the issue of “budget policy”. In the German party system, all (left-wing) opposition parties align against the (right-wing) governing coalition. The picture is more complex in the Austrian party system due to the grand coalition. The left-right conflict is contained in the coalition of the two parties that are quite

distinct on the left-right scale. The centre-left SPÖ is less enthusiastic about “economic orthodoxy” than the ÖVP but needs to support the measures at EU level due to its government participation.

Both Green parties focus on the international dimension of budget policy. The Austrian Greens take a clear left-oriented argumentative stance demanding more public spending (“Keynesiansim”) and a reduction of macro-economic imbalances (“Reduce imbalances”). The FPÖ and BZÖ score on “Economic orthodoxy”, however, do not support the governing coalition. For these two party groups the logic of competition on the cultural dimension of political conflict dominates the left-right logic: they focus exclusively on the benefits of the national audience and criticize the government for wasting taxpayers’ money. Both, the culturally conservative and progressive ones, framing on socio-economic issues is influenced by their extreme positions on the cultural dimension.

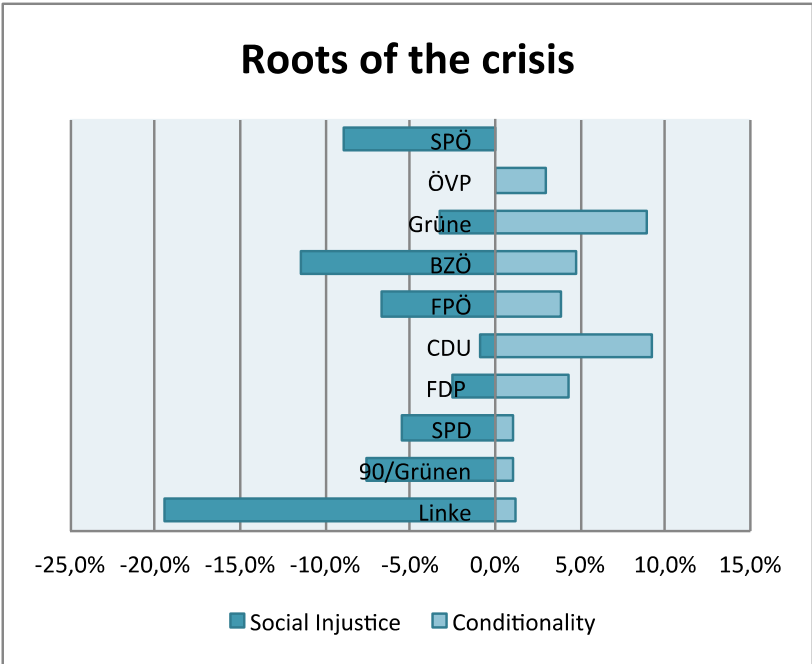


Figure 18: Framing on the roots of the crisis.

The topic of “roots of the crisis” is closely linked to the solutions to the crisis. The content analysis rendered two frames as opposing poles on the responsibility for the crisis. Some MPs argued for the “social injustice” of the crisis, which was ultimately caused by actors of the financial sector. The banks and speculators are understood to have triggered the Euro crisis, whereas taxpayers are compensating the results. This frame demands that the financial sector be held responsible for the crisis, e.g. by means of a financial transaction tax. Other parliamentarians saw the crisis countries responsible for their own fate (“conditionality”). Their debt would result from corruption, inefficient state structures and

exaggerated welfare spending. The two frames do not exactly mirror each other, as one identifies a group across societies as responsible (banking and financial sector) and the other one territorially defined entity of a state. In consequence, a number of parties address both frames. However, there are significant differences among party groups in the frequency and intensity with which they use these frames. The framing is expected to reflect the left-right logic, where social protection is juxtaposed to self-dependency. However, the topic could also be influenced by the cultural dimension, e.g. prejudices towards the political efficiency of Southern European member states.

Within the German party system, the frames link clearly to a left-right contestation in parliament. The governing parties point to the self-responsibility of the crisis states. The opposition denounces the social injustice of the crisis. The vigour with which German opposition parties address the “social injustice” frame thereby reflect the extremity of their position on the left-right scale. The *Linke* addresses this frame by far with the strongest emphasis (H2a).

For the Austrian party system the results are not as clear-cut. The most unmistakable difference of position is among the governing parties themselves. All three opposition parties address both frames with some emphasis. The pattern does not correspond to the economic left-right divide. Alexander van der Bellen, as the voice of the Green party on this issue, reflects at length on the difficulties of the Greek state in the Euro crisis. He argues clearly for a self-inflicted loss of sovereignty of a debtor state based on his knowledge as a Professor for Economics. The Green party also uses the “Social injustice” frame, though to a lesser extent than BZÖ and FPÖ.

The two anti-establishment parties score high on both frames “social injustice” and “conditionality”. The two frames are not used as either-or arguments here. In the framing approach of the FPÖ and BZÖ both frames appear as a threat for Austrian interests. Neither the financial sector nor Greece should receive any of the Austrian taxpayers’ money, as the following quotations show:

“Kein weiteres österreichisches Geld für eine politische Kaste, wie die griechische Politikerkaste, die seit Jahrzehnten getürkte Haushaltsdaten nach Brüssel meldet!” (Gerhard Kurzmann, FPÖ, 24 Mar 2010)

The scepticism towards Greek elites by Gerhard Kurzman is met with the self-enrichment of elites in the financial sector in a speech by Ewald Stadler:

“Das hat nicht direkt mit der Finanzkrise zu tun, aber diese Denkweise von Managern und Bankdirektoren, die glauben, solange es gut läuft, streifen sie ein, und wenn es schlecht läuft, streifen sie weiter ein, weil der Steuerzahler alles bezahlen muss, diese Denkweise, meine Damen und Herren, wird von der Bevölkerung quer durch alle Mitgliedsländer nicht mehr verstanden werden!”  
(Ewald Stadler, BZÖ, 24 Mar 2010)

The left-right divide is dominated by the focus on the protection of the national interest and the anti-establishment stance in these examples. Both frames are used clearly as argument against corrupt elites, be it Greek government members or speculators on the financial markets. The use of this frame by BZÖ and FPÖ clearly reflects their party type lending support to Hypothesis 1.

To sum up on the “roots of the crisis”, the results for the German party groups support the logic of Hypothesis 2a of the left-right divide. However, in the Austrian case the governing coalition is conflicted and the opposition does not take a clear-cut angle. The two culturally conservative parties act upon a national perspective and their anti-establishment stance in the logic of Hypothesis 1.

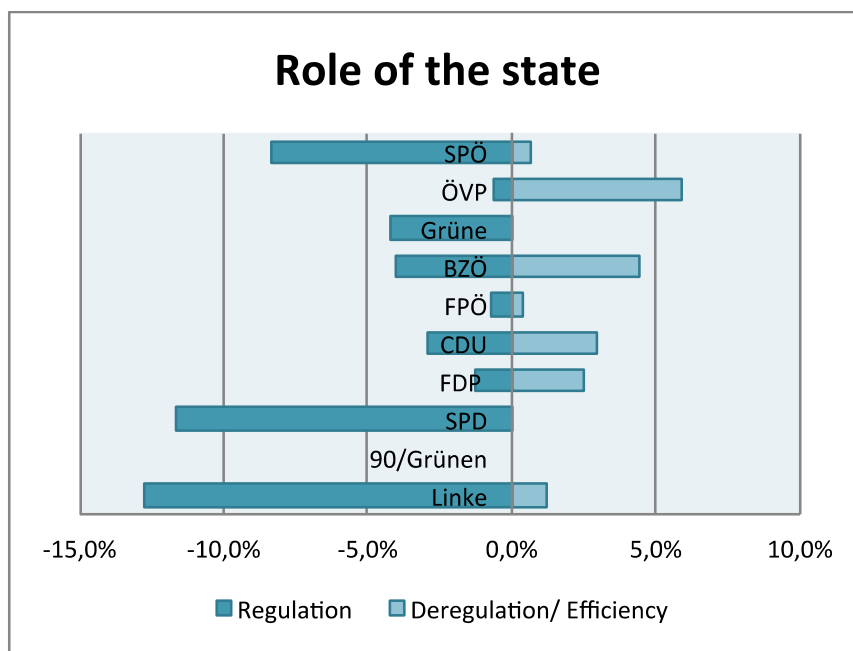


Figure 19: Framing on the role of the state.

The two topics “role of the state” (Figure 18) and “economic policy” (Figure 19) concern classic elements of the socio-economic dimension of political conflict. Their use within the debates under analysis was strongly influenced by the Euro crisis. It does not necessarily reflect the general party position on the left-right scale. The specific circumstances of the dramatic effects of the instability of the financial sector cause party groups to embrace more left-oriented frames.



The frame “regulation” (Figure 19) is to a large extent dedicated to the demand for stronger regulation of the financial markets. This explains that all parties demand more regulation, after the devastating experience of the vulnerability of the political order in the Euro crisis. This frame includes the demand for a Financial Transaction Tax. The left-oriented opposition party groups in both countries asked the government to come through for a Financial Transaction Tax at EU level, if they support the revision of Art. 136 TFEU. The strongest supporters of the “regulation” frame are therefore the classic left wing parties: the two social democratic parties (SPÖ 8.3 per cent, SPD 11.7 per cent) and the Left (12.8 per cent). The Austrian Greens (4.2 per cent), the CDU/CSU (3.0 per cent) and the BZÖ (4.0 per cent) address the frame a few times, but remain under the five per cent level.

The frame termed “deregulation/ efficiency” covers different aspects of economically right-wing ideology: the deregulation in economic policy and a more efficient public administration. All these frames are linked by a basic idea of an achievement oriented economic order. The statements cited on this frame are not always related to the crisis, but address different aspects of economic policy. All four economically right-wing parties address this frame to some extent: those in government (ÖVP with 5.9 per cent, CDU with 3.0 per cent and FDP with 2.5 per cent) as well as the one in opposition (BZÖ with 4.4). They both combine the demand of a slim state (right-wing) with claim for redistribution (left-wing). The idea of an efficient public administration is linked to the scepticism towards the established parties who would create unnecessary positions for their own benefit. Yet, the overall presence of the “deregulation/ efficiency” frame is rather low in the six debates under analysis (see Figure 11, Section 5.2.1).

The “role of the state” is primarily framed according to the left-right logic, as Hypothesis 2a expected. The financial crisis confuses the left-right scheme to a certain extent. Most party groups demand a better regulation of the financial and banking sector, e.g. through a financial transaction tax.

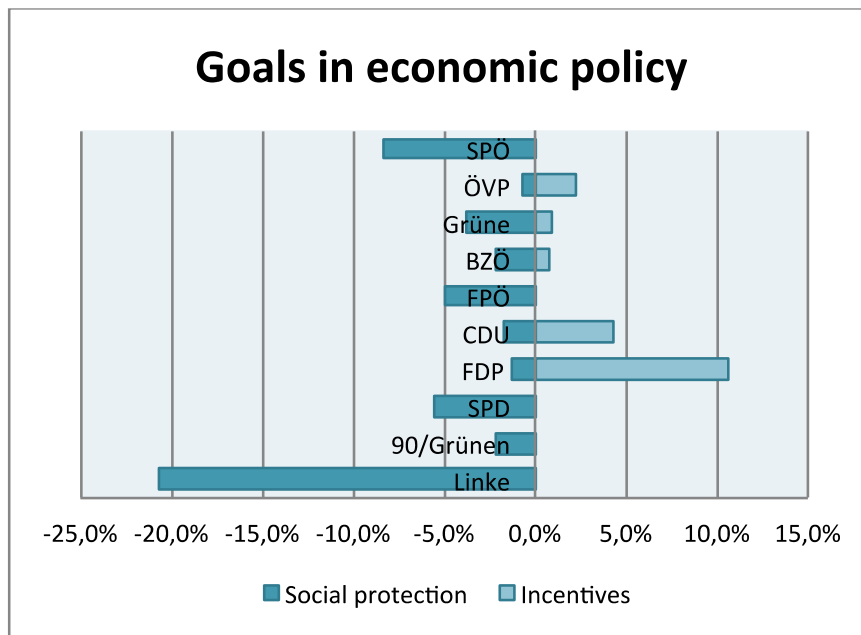


Figure 20: Framing of economic policy.

The final set of frames indicates the contestation on economic policy between the two poles of “social protection” and the idea that economic growth and employment is stimulated by “incentives” for businesses. The two frames represent the classic divide on the socio-economic scale over redistribution in a society (see Helbling et al. 2010). The frame “social protection” covers all statements that demand to reduce poverty, unemployment or other means of social protections. This frame also includes the demand of redistributive measures in favour of citizens with lower income. It does not cover redistribution across borders, but only among „classes“ e.g. through higher taxation of wealthy people.<sup>88</sup>

The topic does not attract too much attention in the debates under analysis (see Figure 11, Section 5.2.1). Only a few party groups, especially the Left (with 20.6 per cent for social protection) and the FDP (with 10.6 per cent for “incentives”), spent some speaking time on the general questions of economic policy.

The German governing parties argue for competitiveness as central goal of their economic policy, for example:

“Auch durch sie [die Agenda 2010] wurde den Menschen viel abverlangt, aber sie hat dazu geführt, dass die Produktivität an jedem Arbeitsplatz in Deutschland höher als bei den Wettbewerbern in der Welt ist. Das ist der Grund für die Wettbewerbsfähigkeit und für die Leistungsfähigkeit, und dafür brauchen wir uns nicht zu schämen, sondern darauf kann dieses Land stolz sein.” (Hans-Peter Friedrich, CDU, 25 Mar 2010)

<sup>88</sup> The frame “social protection” differs from the “anti-austerity” frame. Social protection is explicitly about the weaker or less wealthy segments of society. The anti-austerity statements address economic policy in abstract terms. They may be linked to each other, but would be coded separately in this case (see Chapter 5.1).

Lower wages are noticed as a necessary contribution to Germany's competitiveness and low rate of unemployment, as the quotation of Hans-Peter Friedrich exemplifies. The German liberal party argues passionately for the support of high performers who need to be encouraged to remain productive. The argumentation of the *Linke* and the SPD is diametrically opposed to this perception, e.g.:

“Wenn wir die Binnenwirtschaft stärken wollen, dann brauchen wir endlich höhere Löhne, höhere Renten und höhere Sozialleistungen,

(Norbert Barthle [CDU/CSU]: Mehr Schulden!)

und wir müssen die gesamte prekäre Beschäftigung überwinden. Es gibt keinen anderen Weg.”  
(Gregor Gysi, *Linke*, 14 Dec 2011)

Both of these classic left-wing parties argue for higher wages and better working conditions, which would boost domestic demand and the overall economic prosperity of the country. This frame links closely to the “reduce macro-economic imbalances” frame discussed above, where higher wages are linked to reducing the German current account surplus.

In Austria, the two centrist parties disagree in their framing of economic policy despite the fact that they coalesce. The SPÖ holds up the flag for labour and social protection, whereas the ÖVP is largely silent on the topic. All three opposition parties compete using the “labour and social protection” frame. The FPÖ is the strongest defender of this perspective among the opposition (with 4.9 per cent). There is a difference in the types of arguments among the anti-establishment parties and the Greens: BZÖ and FPÖ argue for national redistributive politics, while the Green parties' strongest concern is youth employment all over Europe. The apparent left-wing consensus within the Austrian party system is thus tainted by the identity question (H2b).

The topic “economic policy” overall supports Hypothesis 2a on the relevance of positional distance on the left-right scale. Only parties coded as right of centre support the “incentives frame”. However, the financial and debt crisis disturbs the usual left-right conflict. All parties utter some concern about adequate social protection during the debates on the Euro crisis and the MFF. This does not come as a surprise as the crisis had dramatic repercussions on European societies, especially in the Southern member states.

To sum up, the topics associated to socio-economic questions were mainly framed along the left-right dimension as Hypothesis 2a expected. The pattern of competition is more clear-cut in the German party system, where all opposition parties held left of centre

positions competing with an economically right-wing government during the time of investigation. The grand coalition in Austria contains some of the left-right competition in this member state. However, the two coalition partners often differ and use frames of the socio-economic dimension more frequently than the opposition parties. On the cultural dimension, the Austrian opposition party groups would often score more extreme than the governing ones in line with their more extreme positioning.

The overall left-right logic is tainted by competition on the cultural dimension and the party type at certain instances. The framing of budget policy (Figure 17) showed a national focus by the culturally conservative parties (BZÖ and FPÖ) and international perspective by the post-materialists (Austrian and German Green parties). The anti-establishment character of the Freedom Party and the Alliance for the Future of Austria dominated the framing on the roots of the crisis: The financial sector and corrupt political elites of Southern member states were held responsible for the crisis.

#### ***5.2.4. Anti-elitism in plenary debates***

The second dimension of the content analysis of this thesis investigates the extent of direct references towards the government party groups as a measure of anti-elitism. The aim of this approach is to understand whether the explicit competition among party groups differs in accordance to the party type. The analysis differentiates content-related and personalized critique of government actors. The anti-establishment stance of the FPÖ and BZÖ leads to expect that they embrace more personalized criticism towards the political elites in their communicative style than regular parties (see 2.3.2).

Figure 21 presents the results on the explicit references to government party groups. Results present the absolute numbers of the sum of all weighted codings on statements mentioning government staff. The analysis needs to take the seat share of each opposition party into account, as speaking time is allocated according to the strength of a party group in both chambers.

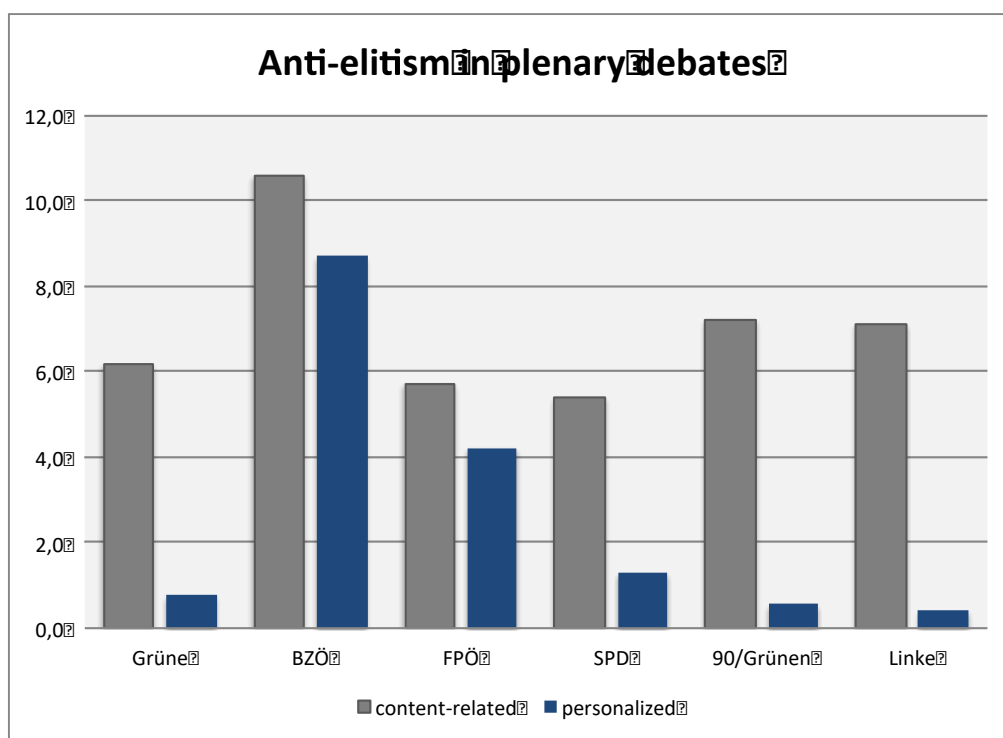


Figure 21: Results of the content analysis on anti-elitism.

All party groups under investigation refer very regularly to the position of their competitors. For most opposition party groups, the frequency and intensity of content-related criticism of the government relates to their share of speaking time in parliament. The only two parties that outdo the others are the two anti-establishment parties. Especially the BZÖ uses a large share of her speaking time to criticize the coalition parties. Direct references that mainly address policy contents are not an indicator of anti-elitism yet. The findings of this study show that content-related references to other actors are common among all party groups.

Personalized critique in reference to the government, however, measures the anti-elitism of a party group (Jagers and Walvers 2007). The results in Figure 21 demonstrate a strong discrepancy between the activities of the two anti-establishment parties and all regular party groups. The statements coded under the category of personalized critique all emphasize negative attributes of the political elites' characteristics.

This strong critique of the governing parties by the BZÖ and FPÖ links to the results from the framing analysis (see 5.2.2). The content-related criticism of government actors often is a critique of the chancellor and vice-chancellor selling out Austrian interests in Brussels.

“Herr Bundeskanzler und Herr Vizekanzler, Sie tun ja so, als hätten wir keine Probleme. 410 000 Österreicherinnen und Österreicher sind ohne Arbeit! Ich hätte mir erhofft, dass Sie in diesem Zusammenhang Geld bereitstellen und die Nettobeiträge reduzieren, in Richtung einer Halbierung der Nettobeiträge [zur EU] verhandeln, weil wir Probleme in unserem Land haben.” (Heinz-Christian Strache, FPÖ, 19 Feb 2013)

The criticism of the government position is linked to perceived negative results for Austria in negotiations on the MFF. At other times the criticism of the governing parties pertains the lack of direct democracy, the enduring crisis in Europe and costly crisis measures. This finding on a more explicit content-related criticism by anti-establishment parties lends support to Hypothesis 1 that expects a more competitive communicative strategy from BZÖ and FPÖ.

The largest share of personal attacks stems from the BZÖ (93) and FPÖ (74). They predominantly address the government staff, preferably the chancellor and vice-chancellor and paint a picture of a self-absorbed elite that is too weak and incompetent to govern the country in the best interest of the people. This depiction of the established parties is in line with the literature on the rhetorical style of anti-establishment parties (Pelinka 2002, Jagers and Walgrave 2007). The following citation by Josef Bucher of the BZÖ demonstrates this type of personal attack:

“Aber Sie sind ja planlos, Sie sind orientierungslos und Sie sind auch visionslos, Sie haben überhaupt kein Konzept! Sie haben ja nicht einmal einen Handlungswillen, Herr Bundeskanzler! Sie sind nicht einmal bereit, die Problemzonen zu erkennen, um die es geht, vor denen die Menschen in der heutigen Situation geradezu verzweifeln, weil sie Angst haben, was die Zukunft betrifft.” (Josef Bucher, BZÖ, 14 Dec 2011)

The chancellor, Werner Faymann, is addressed explicitly and criticized for his lack of leadership capability. This incapacity to act in regard of the challenges of the Euro crisis is clearly a personalized form of criticism. The criticism of a decadent and incapable elite becomes even more apparent in the following quotation by Gerald Grosz, BZÖ:

“Um zu dokumentieren, wie dieser Bundeskanzler unter Mithilfe des champagnisierenden Opernballbesuchers Spindelegger gescheitert ist – denn das gehört ja immer dazugesagt; die Österreichische Volkspartei, die jetzt hier den Bundeskanzler kritisiert, es aber in dieser Nacht der Entscheidung nicht der Mühe wert gefunden hat, in Brüssel bei den Verhandlungen die österreichische Position mit Rückgrat zu stärken, sondern lieber ordenbehangen wie die Christbäume am Opernball aufgetreten ist, diese Österreichische Volkspartei hat bei diesem Thema auch versagt –,  
(Beifall beim BZÖ)

um dieses Verhandlungsgeschick des österreichischen Bundeskanzlers und dieser Bundesregierung zu dokumentieren, bringe ich jetzt die Zahlen, die die EU-Kommission bei den Rabatten der einzelnen Länder vorgeschlagen hat.” (Gerald Grosz, BZÖ, 19 Feb 2013)

The BZÖ MP ridicules the vice-chancellor of Austria as a self-absorbed „Christmas tree“<sup>44</sup> with decorations and drinking champagne at the Vienna Opera Ball instead of fulfilling his duties of the office. The citation holds both parties of the governing coalition responsible for the perceived negative outcome of the negotiations of the MFF. The frame of defending “member state interests” that received strong support by both anti-establishment parties is here extended by the personal attack towards a weak and decadent

elite. The linkage of anti-elite with the lack of defending Austrian interests in Brussels is apparent in all three debates under analysis. This result strongly supports Hypothesis 1 a on the outright competitive communicative style of anti-establishment parties.

None of the regular opposition parties use this discursive strategy in similar extent as the BZÖ and FPÖ. The small parties, *Linke*, Austrian and German Greens, barely engage in a personalized critique towards the governing parties. The SPD used personalized references towards the governing coalitions to a certain extent (score of 30). Their critique is mainly addressed towards the chancellor, Angela Merkel, and her hesitation to react to the Euro crisis, as the following example shows:

“Sie, Frau Bundeskanzlerin, sind eine Last-Minute-Kanzlerin.

(Lachen bei Abgeordneten der CDU/CSU)

Sie haben eine Neigung zum Nicht-Handeln, Noch-nicht-Handeln, Später-Handeln. Das merkt man Ihnen sehr genau an.” (Peer Steinbrück, SPD, 21 Mar 2013)

This statement clearly criticizes the character of the German chancellor and does not address a content-related issue. Chancellor Merkel is presented as hesitating and indecisive during the Euro crisis in the attacks from the SPD. There is a parallel to the critique towards the Austrian chancellor’s lack of vision in this difficult political situation. However, the SPD’s frequency of criticism does not come close to the anti-establishment parties’ style of outright criticism.

The analysis of personalized forms of critique among party groups lends strong support for Hypothesis 1a on the stronger competition by anti-establishment parties in these terms. The two anti-establishment parties focus much stronger on personal attributes as well as policy positions than regular opposition party groups. The findings on anti-elitism link to the results from the frame analysis: Both anti-establishment parties emphasized those frames, as national interests and national sovereignty, that link to personalized critique of government staff.

### **5.3. Conclusions on the communication on EU affairs**

The communicative element of parliamentary EU scrutiny has the important function of “translating” EU developments to the national political agenda. Opposition party groups can use the public forum of plenary debates to challenge (or support) the approach of the governing parties. Through critique of the governing parties, they sharpen their own profile

and provide alternatives to the voters. Parliamentary debates on European Council meetings in the time period from 2008/9 to 2013 covered extremely important and far-reaching decisions for Europe and its member states. The two major issues, the Euro crisis and the EU budget, triggered intense conflict among the party groups in the six debates under study in Austria and Germany. Repeatedly MPs discerned that the decisions on the crisis and the budget were essential for the survival and future of the European Union (see also Puntischer Riekmann and Wydra 2013). This study asked whether competition from opposition parties follows the logic of positional distance among party groups (H2) and/ or the party type (H1).

The overall intention of this thesis is to better understand national parliaments' contribution to EU democratic legitimacy (Section 1.1.3). Plenary debates should ideally present diverging perspectives and clear policy alternatives to the voters (Mair 2007). Research on election campaigns has argued that EU integration is not sufficiently present in party competition. Prior studies on parliamentary debates on Euro crisis mechanisms argued for a lack of conflict among mainstream parties (Miklin 2014b, Wonka 2016). The results of this thesis on the six plenary debates on European Council meetings in the period from 2009 to 2013 delivered ambivalent findings on this aspect.

Table 15 summarizes the results on the content analysis of plenary debates. The evaluation on a four-point scale (++, +, -, --) indicates in how far the expectations of the hypothesis found support. Shaded fields imply that the indicator was not applicable to test a specific hypothesis. Hypothesis 2 is not listed as it is implied in H2a and H2b.



	Hypothesis 1 on the party type	Hypothesis 1a on anti-elitism	Hypothesis 2a on positional distance on the socio-econ. dimension	Hypothesis 2b on positional distance on the cultural dimension
Plenary stage	Framing of socio-economic topics	-- (no difference to regular parties)		+
	Framing of EU integration and identity topics	++ (more than H2b expected on topics that are conducive to criticize elite)		+
	Measure of anti-elitism		++ (strong effect)	

Table 15: Summary of results on the plenary stage.

The empirical analysis showed that the impact of the explanatory factors depends much on the topic under debate. The study expected that the cultural dimension would best explain identity matters and EU integration. The classic left-right divide, however, would structure conflict over EU economic governance, over the degree of regulation and redistribution in society. The results of the frame analysis generally support these assumptions. The competition on EU issues reflects existing patterns of conflict within each party system. The topics of the definition of a collective interest, national sovereignty, design of the EU polity and cross-border transfer triggered competition on the cultural dimension. Budget and economic policy as well as the benefit the EU in socio-economic terms were mostly framed according to the left-right divide.

The party type has a strong impact on a few topics in the debates. The two anti-establishment parties focus on those frames that serve the critique of the political elite in their contributions to plenary debates. BZÖ and FPÖ are the only parties that position clearly towards the TAN-pole of the cultural dimension of conflict. In consequence, Hypothesis 2b expected them to emphasize the protection of national interests and sovereignty more than any other party group. The intensity with which they employ these two frames by far outweighs their positional distance to the Austrian governing parties. Only the party type can explain the vehement defense of national interests. The second element of the content analysis, measuring anti-elitism, showed that these frames were closely linked to the criticism of the government personnel by both anti-establishment

parties. The incumbents were attacked as self-absorbed, corrupt and weak political elite. They are judged incapable of defending the interests of the Austrian citizens in Brussels. This populist communicative strategy was relevant only for the identity-related topics of the cultural dimension. EU affairs appear as a topic where anti-elite discourse easily “sticks to”.

Existing research has argued that challenger parties alter the dimensions of competition within a party system (Kriesi et al 2008, Minkenberg 2001). This would explain the predominance of the cultural dimension in Austria. The anti-establishment stance is highly problematic in terms of democratic legitimacy: The delegitimization of all other political actors enhances distrust in established actors and institutions. Müller (2016) argues that the self-representation as the only “true” representatives of citizens’ interests undermines democratic principles where interests of various groups are communicated and represented without prejudice.

One specific topic within the cultural dimension was EU integration. This topic is of special interest for this study as it touches the democratic legitimacy of the EU. The mainstream parties claimed repeatedly that “More Europe” would be necessary to overcome the crisis and embrace the “European idea”. Both frames remain very vague and do not formulate a clear vision for the future development of the political system. *How* do these parties intend to advance EU integration? Within this consensus in favour of the EU, mainstream parties do not formulate clear policy alternatives in their plenary speeches.

The two anti-establishment parties disrupt this unspecific pro-European framing of mainstream parties with a clear counter-proposal: Both argue for a “Core Europe” of net-contributors to the EU budget and limited range of competences. The analytical framework on democratic legitimacy developed in Section 1.1.3 formulated the communication of clear policy alternatives as one way to enhance legitimacy through potential alteration of government. In this sense, the communication of alternative prospects for EU integration could be valued positively for democratic legitimacy. This framing activity is, however, system-related not policy-oriented. The position of the FPÖ and BZÖ is not properly anti-system (“principled”), but they do argue for a devolution of competences towards the national level. Mair’s (2007) argument seems to hold true: The opposition formulated by the anti-establishment parties turns against the polity to restore policy choice at national level. They do not contribute to EU legitimacy through competition towards EU policy proposals.

Finally, the analysis needs to take its limitations into account. The content analysis of this study focused on six debates on European Council meetings. The decisions at stake were extremely urgent, relevant and contested. The findings cannot necessarily be generalized beyond the period of investigation. Less controversial issues or more technical matters of “low politics” are most likely debated less conflictive. The debates on EU affairs always contain an element of foreign policy, where national interests should be defended towards external actors. Opposition parties may not risk undermining the own government on day-to-day policymaking.

## 6. Conclusions

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EU integration has been argued to enhance a process of “de-parliamentarization” (Maurer and Wessels 2001) of political decision-making procedures and to contribute to a “waning of opposition” (Kirchheimer 1957). This thesis set out to critically test these assumptions by empirical analysis of opposition parties’ parliamentary EU scrutiny activities. The study contributes to a better understanding of national parliaments’ role in the EU political system. It addresses two research lacunas on national parliaments’ EU scrutiny (Raunio 2009, Rozenberg and Heffler 2015). First, it goes beyond a merely institutional analysis by investigating the use of formal opportunity structures. Second, the political dynamics between governing and opposition parties were theorized and tested as explanatory variables for active EU scrutiny. The inter-actions between government and opposition have been largely understudied in relation to EU affairs (for an exception see Holzacker 2002, 2005, Finke and Dannwolf 2013). The thesis posed the following research question: Which factors explain opposition parties’ EU scrutiny activities in national parliaments?

This study integrated concepts from opposition and legislative studies to the research field of national parliaments and the EU. Research on opposition parties has, similarly to legislative studies, long focused on institutional prerogatives. Only some recent approaches assessed political factors driving opposition activity (Steinack 2011, de Giorgi 2015). This study built on the ontological background of rational choice institutionalism. The simple assumptions of rational choice provided a clear structure for an explorative investigation of opposition parties’ EU scrutiny activities. Actors’ motivation was determined by means-ends calculations on their cost and benefits. The “thick” version of rational choice concentrates the definition of rationality to this logically consistent behaviour and allows for several competing goals (Elster 2016 (1983): 11). For party groups, this implies the goals of office and policy as drivers’ for their activities (Müller and Strøm 1999). Opposition party groups can achieve these goals by two key strategies: cooperation or competition (Steinack 2011, Moury and de Giorgi 2015). Opposition is by nature a reactive power that must position itself towards issues that governing parties place on the agenda. Their strategies are therefore conceptualized as reactions to the government position and agenda. The dependent variable of this study was opposition parties’ parliamentary activities that are allocated to one of the strategies of cooperation or competition. The

strategies differ in how they contribute to EU legitimacy: Cooperation increases the inclusion of societal actors on the input side, whereas competition contributes to the politicization of EU issues.

The theoretical Chapter 2 developed a model of opposition in national parliaments. It is difficult to find a “one size fits all” conceptualization as legislative procedures vary significantly from one member state to another. Thus, the model concentrated on two essential steps of parliamentary scrutiny: the legislative scrutiny at committee level and the justifications towards the electorate at the plenary level. The model assumed that committees prepare the document-oriented parliamentary work for the plenary decision. The plenary serves as a communicative channel towards the citizens. The two steps of committee and plenary work are relevant for all channels of influence on EU affairs: the control over the own government, the ex-post transposition of EU directives as well as issuing (reasoned) opinions within the Early Warning Mechanism. The committee acts as the body that prepares in more detail a final vote in the plenary within each channel of influence. The model allows conceptualizing the temporal aspect of cooperation and competition. If party groups’ positions conflict on a certain issue, opposition can seek to cooperate before or at the committee stage to achieve policy influence. Or they can compete with the government in committee and plenary to gain attention and potential benefits in future elections.

The theoretical Chapter 2 brought forth two hypotheses on the causal link between the motivation of party groups and competitive or cooperative scrutiny activities. The first assumption was derived from research on increasingly relevant party types, which have been termed “populist”, “niche parties” or “challenger parties”. This study built on the definition of anti-establishment parties, which integrates several definitional elements of the other concepts.<sup>89</sup> A party with an anti-establishment stance was expected to act more competitive towards the governing parties (H1).<sup>90</sup> This specific party type should also trigger more outright competition towards the government personnel, which was measured by an anti-elitist communicative style (H1 a). The second hypothesis related to Blondel’s (1997) argument that ideological distance enhances competition among parties. I expected

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<sup>89</sup> Abedi’s (2002) definition has the advantage to apply different definitions for established and anti-establishment parties. Established parties are those with government experience or serious government aspirations. Anti-establishment parties are defined through their communicative style and unique policy position. Thus, the definition is sensitive to the possibility of “established anti-establishment parties” that is parties with government experience challenging the establishment. For the cases under study this fine grained definition is necessary to grasp the special cases of the FPÖ as well as BZÖ.

<sup>90</sup> For an overview of the hypotheses guiding this study, please see Table 1, Section 2.4.

more competitive behaviour for opposition parties whose party positions are more distant to the governing parties (H2). This should hold true for the traditional left-right (H2 a) as well as the cultural dimension of political conflict (traditionalist-authoritarian-nationalist and green-alternative-libertarian values; TAN-GAL) (H2 b).

The empirical analysis investigated opposition parties in the lower chambers of Austria and Germany based on the comparative method (see Chapter 3). Selected case studies in the logic of comparative research deemed most appropriate for the explorative nature of this study. The limited scope allowed a more in-depth analysis that is more suitable to identify potential causal mechanisms. The results of the empirical analysis should lead to a refinement of the hypotheses (Levy 2008). Research objects are the six opposition parties in Germany and Austria in the legislative period after the enforcement of the Lisbon treaty (2008/9 to 2013). The case selection intended to hold institutional factors constant and provided sufficient variation on the independent variables in the logic of the most-similar system design.<sup>91</sup> Germany and Austria are two EU member states with very similar political institutions and a similar historical background. Whereas the party system of Austria is characterized by the presence of a strong anti-establishment party (the FPÖ), there was no counter-part to this party type in the *Bundestag* within the period of investigation. The opposition parties of the sample varied in their positional distance to the government on the socio-economic and on the cultural dimension of political conflict. Within potential pairs of institutionally similar countries within the EU, Austria and Germany present least likely cases for competition as both are considered rather consensual democratic regimes.

The study covered the legislative scrutiny at committee level (Chapter 4) as well as the communicative practice at plenary debates (Chapter 5) in line with its model on opposition in national parliaments. The empirical investigation combined three methodological approaches for an in-depth analysis of the opposition parties' EU scrutiny practices. First, the scope of activities was measured in form of a quantitative assessment, e.g. on EU-related initiatives at committee level and voting behaviour. Second, the quality of opposition parties' scrutiny activities was investigated through content analysis of initiatives and plenary speeches. Third, interviews with members of both parliaments gave access to the motivation and organisational aspects of parliamentary EU scrutiny.

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<sup>91</sup> The upper houses function differently in the two countries. The German *Bundesrat* has a much stronger role within the system, as it is involved in almost 40 per cent of the legislative procedures.

This concluding Chapter 6 summarizes the results of the two empirical Chapters 4 and 5. It relates the findings to the state of the art and points out limitations and avenues for future research in Chapter 6.1. The final Chapter 6.2 interprets the findings of this study in view of national parliaments' contribution to EU democratic legitimacy. It links to the review of the debate on an EU democratic deficit of the introduction of this thesis (Chapter 1.1).

## **6.1. Results on opposition to EU affairs in national parliaments and contribution to the state of the art**

The empirical analysis of this study, first, recorded the activities of party groups in the *Bundestag* and *Nationalrat* between 2008/9 and 2013. And second, it searched for an explanation for variation between EU scrutiny activities of opposition parties. This Chapter 6.1 accordingly presents the descriptive results on the scope and types of activities (6.1.1.), before it assesses the explanatory value of the two main hypotheses (6.1.2). The chapter locates the research results of this study in the broader universe of research on national parliaments and EU affairs and suggests avenues for future research.

### ***6.1.1. The practice of EU scrutiny***

The literature on national parliaments and the EU has investigated the formal rules of EU parliamentary scrutiny in-depth. An analysis of the use of these rules can test the assumptions behind the investigation of institutional settings. In how far do parliamentary party groups use their institutional prerogatives? Do the expectations on the impact of formal setting hold true?

In line with the most-similar system design of case selection, this study held most political system factors constant by investigating Austria and Germany. The detailed EU scrutiny procedures, nevertheless, vary in two important aspects: the degree of involvement of sectoral committees in EU scrutiny and the ex-ante debates to European Council meetings. The data on EU scrutiny at committee level showed a notable impact of the two different scrutiny approaches of the *Bundestag* and the *Nationalrat*. The findings can contribute to studies that considered the effect of processing EU affairs within a parliament. The findings of this study showed that they have an impact on parliament's strength vis-à-vis their government. This chapter also critically reflects the model of opposition in national

parliaments of this thesis (see 2.2.3) and develops ideas for further development of the model.

### ***The impact of “mainstreaming” EU affairs***

The *Bundestag* “mainstreams” (see Gattermann et al. 2015) EU affairs to sectoral committees, whereas the *Nationalrat* centralizes the parliamentary involvement in its two European Affairs Committees.<sup>92</sup> The data on the number of EU-related initiatives showed accordingly that other sectoral committees more frequently address EU issues in the *Bundestag* than in the *Nationalrat*. The sectoral committees of the Austrian lower house were, more importantly, involved only in the transposition stage of EU directives to national legislation. This finding implies that the ex-ante scrutiny and the ex-post transposition of EU legislation take place in different committees within the *Nationalrat*. The chamber risks an incoherent assessment of the government’s behavior in the Council. The *Nationalrat*, however, gives MPs from sectoral committees the opportunity to substitute for a party member at EAC meetings on policy issues under their area of expertise (Miklin 2015, Pollak and Slomiski 2003). The personnel link between the EAC and sectoral committees could thus compensate for the formally detached ex-ante and ex-post scrutiny.

The “mainstreaming” of EU affairs to sectoral committees in the *Bundestag* had an effect on the involvement of the plenary (see also Gattermann et al. 2015: 103). The EACs in both parliaments have the special right to vote in place of the plenary (Höing 2015, Miklin 2015). No other committees have this power. The Austrian EAC processed all EU issues and actively used the right to vote in place of the plenary. EU issues were, in consequence, not continuously debated on the floor. EU-related plenary debates in Austria mainly deal with issues of very high salience. The results of this study show that the plenary of the Austrian *Nationalrat* is less involved in day-to-day EU policymaking than the *Bundestag*. Avoiding plenary involvement is not possible under “mainstreaming” as installed in the *Bundestag*. If sectoral committees scrutinized all EU issues relevant to their policy areas, the EACs special voting right remained of limited effect. EU issues scrutinized by sectoral committees had to be voted upon at the plenary. The *Bundestag*’s plenary debates treated, in consequence a more diverse set of EU issues.

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<sup>92</sup> The Main Committee considers matters of proper EU integration and hears the foreign minister or chancellor before European Council meetings. The day-to-day scrutiny of EU legislative proposals is delegated to the sub-committee on EU affairs.



The reduced involvement of the plenary in Austria was partly compensated by parliamentary debates in preparation of European Council meetings, which took place within the more disclosed environment of the Main Committee in the *Nationalrat*. The debates with the Austrian chancellor in the Main Committee prior to European Council meetings have the advantage that the head of government could more openly explain the negotiation logic at EU level to the parliamentarians. The German chamber, on the other side, regularly debated on the floor before European Council meetings take place (see also Wessels et al. 2013). Floor debates can potentially enhance the awareness among parliamentarians for developments at EU level. They also enable party groups to communicate their positions to the voters. The centralized EU scrutiny approach of the *Nationalrat* thus provided better access to information, but less opportunity for a politicization of day-to-day EU policymaking.

### ***Implications for the model on opposition***

The processing of EU affairs within the parliament has implications for the model of opposition in national parliaments of this study (see 2.2.2).

If the EAC voted instead of the plenary, the two-stage model of opposition's behaviour of this thesis applies to a limited extent only. The strategies of cooperation and competition were assumed to evolve on individual policy items throughout the parliamentary process. Spreitzer and Timmermans (2015) have argued that competition by opposition parties at committee level is at times accommodated before the issue arrives in the plenary in Belgium, Luxembourg and the Netherlands. This study did not find cooperation across the aisle within the formal structures of parliament in either of the two countries under study. In Austria, the day-to-day scrutiny of EU politics did not arrive at the plenary. In Germany, a development in the opposition strategies was not possible either. The voting behavior of party groups in the *Bundestag's* plenary was almost 100 per cent identical to the voting in committees. The votes in the committees represent the final decision in both parliaments. The strategy of cooperation does not occur past the committee stage. It is nevertheless important to research both elements of parliamentary work, as they demonstrate different aspects of oppositions' EU-related work. The results of this study showed different strategies for party groups in the committee and the plenary.

In countries where the plenary is involved in the final vote on EU decision-making and in case of repeated committee involvement, future research could investigate the evolution of single issues throughout the legislative process. Which items are debated in a first reading

and receive plenary time after negotiations at the committee level? Which issues are just formally voted upon in the plenary without any actual debates? Russell et al. (2016) investigated the process of parliamentary scrutiny on twelve legislative proposals in Westminster. The twelve bills received over 4.000 suggestions for amendments from the opposition and governing majority. The authors could show how opposition amendments were formally voted down, but influenced later amendments by governing parties. A similar issue-based study with a focus on EU issues would further consolidate and expand the temporal aspect of the model of opposition of this study.

### ***The impact of minority protection on EU scrutiny***

The theoretical chapter of this thesis emphasized that it is important to understand whether collaboration among governing and opposition parties resulted from a prior consensus among party groups or an actual search for compromise during the legislative process. Only the latter implies policy influence by opposition parties and a contribution to democratic legitimacy in form of inclusion of larger segments of the society. The quantitative assessment of parliamentary activities only grasped the final result of the scrutiny process, e.g. the voting behavior. The qualitative analysis by interviews, however, investigated the process leading up to these outputs. A main finding of the interviews was that common activities of governing and opposition parties, e.g. voting and joint motions, resulted from a pre-existing consensus. It was rare that they are the product of actual cooperation. Governing parties might attempt to strengthen their own negotiating position in Brussels through opposition support. Rare exceptions for policy influence by opposition parties were also moments when the governing parties needed a two-thirds majority, such as constitutional revisions. All opposition parties, who supported the government in the two-thirds majority to reform Art. 136 TFEU, negotiated trade-offs in favor of their policy positions. Without the power of the vote, cooperation “across the aisle” was extremely rare in the parliaments under study.

This finding challenges the assumptions on a partial policy influence by opposition parties in consensus democracies (Helms 1997, Moury and de Giorgi 2015). Austria and Germany both have rather good minority protection rights within parliament. These minority rights did not result in policy influence, but facilitated a stronger impact on the legislative agenda. In both countries interview partners explained that the enhanced EU scrutiny rights for opposition parties allowed them to place their issues on the EAC agenda at some point in time.

Overall, this study detected elaborate and well-functioning EU scrutiny mechanisms in both parliaments. In the *Bundestag* day-to-day EU policymaking involved the plenary more frequently than in the *Nationalrat*. Especially for the German lower chamber, the characterization of parliament as a “sleeping beauty” is not accurate anymore.

The descriptive element represented the first step of the analysis. The remainder of this Chapter 6.1 assesses the results on explaining variation among opposition parties’ EU scrutiny activities.

### **6.1.2. Explaining opposition parties’ EU scrutiny activities**

The empirical analysis of this thesis intended to explain variation among opposition groups to gain a better understanding of their motivation for EU scrutiny. This Section 6.2.1 reviews the findings in view of the two hypotheses of this study. The first hypothesis expected that parties with an anti-establishment stance are more competitive towards the government. The second hypothesis of this thesis assumed that a larger positional distance of opposition party groups to the government leads to a more competitive approach to EU scrutiny (H2). Each hypothesis was qualified by specifications to their basic logic. Hypothesis 1a concerned the style of competition by anti-establishment parties and expected outright competition in form of anti-elitism. Hypothesis 2a focused on the left-right dimension of political conflict and assumed that it was especially relevant for socio-economic aspects of EU policymaking. Hypothesis 2b expected that the cultural dimension of political conflict (TAN-GAL) had a stronger impact on topics related to EU political system design and identity.

Some comparative large-n studies did not find support for an effect of government-opposition dissent on EU scrutiny rules or activities (Raunio 2005, Winzen 2012, Auel et al. 2015a, 2015b). Other studies were able to grasp the impact of party political dynamics for EU scrutiny activities (Auel et al. 2015a, Finke and Herbel 2015, Gattermann and Heffler 2015, Williams 2016).<sup>93</sup> This study lends further support to the relevance of the party competition for active EU scrutiny at the national level. The content analysis was better able to grasp this political dynamic between governing and opposition parties than the quantitative assessment of EU scrutiny activities in committees.

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<sup>93</sup> The Early Warning Mechanism was not investigated as opposition parties did not use this instrument for competition with the government. All proposals on reasoned opinions were initiated by the governing majority.

Table 16 provides an overview of the results in view of the different indicators (see Chapter 4.1 and 5.1). The evaluation on a four-point scale (++, +, -, --) indicates in how far the expectations of the hypothesis found support. Shaded fields imply that the indicator was not applicable to test a specific hypothesis. Hypothesis 2 is not listed as it is implied in H2a and H2b.

	Hypothesis 1 on the party type	Hypothesis 1a on anti- elitism	Hypothesis 2a on positional distance on the socio-economic dimension	Hypothesis 2b on positional distance on the cultural dimension
Committee stage	Frequency of initiatives	-- (no difference to regular parties)	– (limited correspondence to positional distance)	+ (some correspondence to positional distance)
	Votes on government bills	-- (no difference to regular parties)	– (limited correspondence to positional distance)	+ (some correspondence to positional distance)
	Topics of initiatives / agenda setting	– (only some emphasis of EU integration)	– (limited correspondence to positional distance)	+ (some correspondence to positional distance)
	Joint initiatives with governing parties	-- (no difference to regular parties)	+ (AU: all PPG participate topic dependent, DE: rare and <i>Linke</i> excluded)	+ (AU: all PPG participate topic dependent, DE: rare and <i>Linke</i> excluded)
	Framing of initiatives	+ (an overemphasis of TAN-related issues)	++ (clear correspondence to positional distance)	+ (correspondence to positional distance except see H1)
Plenary stage	Framing of socio-economic topics	-- (no difference to regular parties)	+ (correspondence of positional distance, sometimes influenced by TAN-GAL)	
	Framing of EU integration and identity topics	++ (more than H2b expected on topics that are conducive to criticize elite)		+ (correspondence to positional distance except see H1)
	Measure of anti-elitism		++ (strong effect)	

Table 16: Overview of results of this study.

The party type (H1) of an anti-establishment party (BZÖ and FPÖ) showed surprisingly little effect on the EU scrutiny activities at committee level (the number of initiatives, voting, agenda setting and joint initiatives with the government). At the same time, BZÖ and FPÖ clearly differed in their framing from regular party groups. They strongly emphasized those topics on the cultural dimension of conflict that were conducive to criticize the elite. The anti-elitism measure showed a strong difference in the communicative style of the two parties, who depicted the government as self-absorbed and incapable (H1a).

The second hypothesis on the role of positional distance found clear support in this study. Again, the content analysis was better able to grasp the variation among party groups due to their positional distance to the government than the committee activities. The results showed that the framing on EU affairs was clearly dependent on the topic at hand, in line with the expectations of H2a and H2b. For the cultural dimension, the correspondence of positional distance to EU framing activities was disrupted by the overemphasis of certain topics by the two anti-establishment parties.

The remainder of this Chapter 6.1.2 provides more detailed information to this first overview on the results based on Table 1. It starts out with the results on Hypothesis 1 and 1a and continues to assess the relevance of Hypotheses 2 for opposition parties' EU scrutiny activities.

### ***EU scrutiny by anti-establishment parties: Bark but don't bite?***

The first hypothesis expected that anti-establishment parties are more competitive towards EU affairs than regular party groups. Their fundamental criticism towards the political elites should make cooperation with governing parties – “the establishment” – less likely throughout the legislative process. Two anti-establishment parties were under study within the sample of opposition parties: the Alliance for the Future of Austria (BZÖ) and the Freedom Party of Austria (FPÖ). The BZÖ, which split-off from the FPÖ in 2008, was considered the slightly “milder” version of the Freedom Party. Yet, both built their party strategy around fierce criticism of the existing political elites as well as traditional and nationalist policy positions. Four regular parties served as points of comparison to evaluate whether the party type causes a particular pattern of competition on EU issues.

Surprisingly, the anti-establishment stance did not affect the legislative scrutiny activities on EU affairs. Both anti-establishment parties show quite discrepant behavior: They

regularly acted within the scope of legislative scrutiny activities at committee level, but attacked the governing parties fiercely in plenary debates. BZÖ and FPÖ support government initiatives in the committee setting. Neither one made a strong effort to push EU issues onto the legislative agenda. Their voting behavior, the number and topics of initiatives did not show a strongly different approach compared to other party groups. The FPÖ supported 43 per cent of government's EU-related legislative proposals and the BZÖ supported 50 per cent. Both parties participated in several joint motions on EU-related issues with the government. They only slightly emphasized matters of proper EU integration more than other party groups at the committee level.

However, the party type had a clear impact on the communicative dimension of the party groups. The framing analysis of committee initiatives and plenary debates showed that the BZÖ and FPÖ differ in their perspective of EU affairs from regular party groups. The framing largely corresponded to the ideological distance to the government (see Hypotheses 2, 6.1.3). Yet, on certain issues this pattern was disrupted. Those topics, which could be linked to the criticism of the government, were overemphasized by the Freedom Party and also partially by the Alliance of the Future (H1a). Especially, the frame on national interest was strongly linked to the fierce critique towards government personnel. The current political leadership was depicted as weak and corrupt, selling out the national interest and undermining national sovereignty through EU integration. The FPÖ is the strongest critique of the government in this regard. There are three topics where the FPÖ is much more competitive than regular parties: collective interests, sovereignty and cross-border transfers. The Freedom Party argued vehemently for the protection of national interests and the protection of Austrian sovereignty on all three issues. Two-thirds of the weighted frames of the FPÖ were devoted to the protection of Austrian interests and sovereignty. The BZÖ is equally extreme on the frame "national interests". Yet, it proved to be the "milder" version, as it was less aggressive regarding the topics "protecting sovereignty" and "cross-border transfers". The anti-elitism measure of the content analysis showed that this frame was most often combined with a quite personal attack against the government staff. This finding is in line with studies of populism (Jagers and Walgrave 2007, Pauwels 2014). With regard to these selected issues, the regular pattern of party competition was disrupted.

The anti-establishment parties combined the fierce attack of the government personnel in public communication with supportive behavior in the legislative scrutiny at committee level. This ambivalent behavior leads to ask whether they show their teeth in public debate,

but do not bite. Supportive votes and joint motions with the government characterized the legislative scrutiny at committee level. Section 6.2 will discuss the negative effect of anti-elitism for democratic legitimacy.

The party type proved to be important in explaining the strategy of opposition parties towards EU scrutiny. The definition of anti-establishment parties linked three elements (a unique policy focus, the self-conception as challenger and the communicative style). The most important element of the definition for the analysis of EU scrutiny activities was the discursive one. The content analysis was essential to detect the different patterns of competition from parties challenging the mainstream parties. Future research should be sensitive towards the communicative element when researching national parliaments' EU scrutiny efforts.

### ***Limited variation in committee activities***

The expectation of the second hypothesis (on positional distance) found support in this study especially in analysis of communicative action.

The first indicator of the quantity of EU-related initiatives and voting at committee level did not deliver clear-cut results in this small-n study. The general trend seemed to indicate that the cultural dimension of conflict was more relevant to explain the activities in the committees. Party groups more distant to their government on the TAN-GAL dimension issued more EU-related initiatives and supported government proposals less frequently. These were the three Austrian opposition parties, which are noticeably more distant on the cultural dimension than the German ones. These differences between the two chambers are also linked to the different committee agendas (see below on the role of the legislative agenda).

The content analysis of legislative proposals, motions and other statements delivered more specific results on the direction of competition of opposition parties. It analyzed the topics and framing of the 351 EU-related initiatives in the two chambers. The findings showed that the committees in each chamber address quite different topics. The motions in the *Nationalrat* related to matters of EU integration, the Euro crisis and national sovereignty. Initiatives in the *Bundestag* barely addressed the big questions of the crisis and the future of the Union, but concerned topics of economic, social affairs and energy more often. The different agendas explain why positional distance on the TAN-GAL dimension related to the frequency of EU motions. The framing of EU affairs largely corresponded to the

ideological distance on both dimensions (H2a and b). This means that opposition parties in Austria emphasized the cultural dimension, while the socio-economic dimension dominated in Germany. One exception was the extremity of the traditionalist-nationalist framing of the two anti-establishment parties (see above).

### *A lively debate on EU affairs*

The analysis of plenary debates further unraveled the individual frames that party groups used on EU affairs. The content analysis of this study covered three debates on European Council meetings in each parliament. The selection of the text corpus intended to cover highly salient issues without focusing on a single issue. Large segments of the analyzed debates concerned the Euro crisis, but they also covered the Multi-annual Financial Framework and some aspects regarding CFSP and the EU 2020 strategy. Issues of high salience should trigger more competition than rather technical matters.

Rauh and de Wilde (2017) attested an “opposition deficit” in plenary debates due to the lower frequency of EU-related statements by oppositional actors. This study followed up on this expectation by analyzing the polarization of around EU issues in a few selected debates in depth. The findings of this study show a lively debate on EU affairs and clear communication of policy alternatives by opposition parties. In terms of the quality of the debate one cannot attest an “opposition deficit”. In general, the content analysis found support for Hypothesis 2, as greater positional distance corresponded to the communication of different approaches to EU affairs.

Moderate and mainstream opposition parties debated EU issues with quite diverging perspectives. The German Social Democrats, for example, repeatedly criticized the democratic deficit and embraced a vision for a more social Europe. They strongly criticized the personal characteristics of the chancellor during the Euro crisis. In Austria, the Greens strongly embraced a libertarian counter-position to the government and other opposition parties. They argued for a universalist humanitarian perspective, where solidarity does not end at national borders. Thus, the established and mainstream parties engaged on critical debate over the crisis in plenary debates.

This general support for Hypothesis 2 has to be qualified in view of the role of anti-establishment parties and the effect of the legislative agenda.



### *Established versus anti-establishment in plenary debates?*

The differentiation of two dimensions of political conflict (H2 a and b) and the sensitivity to the party type (H1) addressed the lines of competition within the debate on EU affairs. Existing studies on the polarization around EU affairs link political actors to certain types of framing on EU affairs (Helbling et al. 2010, Wendler 2011, Closa and Maatsch 2014, Maatsch 2014, Wendler 2014, Wonka 2016). The categories of frames are termed differently in each study but are based on a similar logic. In line with this study, they usually cover a value- and a utility-related dimension of framing, which makes these studies comparable. Prior studies of plenary debates showed different patterns of polarization depending on the topic of the debate. On the one hand, Wendler (2014) argued that conflict over EU integration in debates on the Lisbon Treaty is “domesticated” and best explained by pre-existing lines of conflict. Similar results stem from de Wilde (2014) on the EU budget and Maatsch (2014) on crisis measures in creditor states. On the other hand, content analyses of debates on the installation of crisis mechanism have demonstrated a main divide between mainstream and challenger parties. Established parties aligned on the necessity to “save the Euro” leaving the competition to parties on the ideological fringes (Puntscher Riekmann and Wydra 2013, Closa and Maatsch 2014, Wonka 2016).

This study accounts for both lines of division within parliament through the effect of positional distance on common political cleavages and the special role of anti-establishment parties. The results of this study show that the patterns of competition are issue dependent (Hypothesis 2 a and b). Socio-economic questions, such as the internal market, public spending in light of the crisis or the level of regulation, followed the domestic pattern of competition on the left-right scale (H2a). Matters of EU integration, cross-border redistribution within the EU and other identity-related issues generally followed the positional distance on the cultural dimension (TAN-GAL, H2b). Topics related to the cultural dimension were, however, dominated by the fierce competition by anti-establishment parties.

On the one hand, results on the socio-economic issue lend further support for Wendler’s (2014) and Helbling’s et al. (2010) finding of a “domesticated” framing of EU issues. In both countries under study, the scrutiny of EU issues was integrated into the major lines of conflict between governing and opposition parties on most topics. This was especially true for issues pertaining to the socio-economic dimension of conflict (H2a). The topics associated with the left-right dimension were clearly policy-oriented.

The two anti-establishment parties, however, diverted from the regular pattern on those frames that are conducive to criticize the competence of the current political elite. For example, the frame of national interests received significantly more support from the BZÖ and FPÖ than their ideological distance on the cultural dimension could explain. The main divide ran between established parties and challengers especially on questions of EU integration (see 6.2). These issues are predominantly related to the question of the design of the political system. Depending on the issue at hand the divide in parliament ran between governing and opposition parties or between mainstream and anti-establishment parties.

The results of this study point to the importance of differentiating both dimensions of conflict (socio-economic and cultural) for a comprehensive understanding of competition on EU affairs. Future research could expand this approach with an explicit measure for Euro-scepticism. The role of anti-EU sentiments, which have been shown to relate to an extreme position on either the left-right or the cultural dimension, has not been investigated here. The *Linke*, BZÖ and FPÖ are often classified as Euro-sceptic. This study demonstrated different approaches of these party groups: The left party remained rather silent on topics on EU integration. It did not bring forward a clear counter-proposal for the course of EU integration. The BZÖ and FPÖ criticized the current approach and argued for a Core Europe, which safeguards the sovereignty of the nation states. Recent studies on Euro-scepticism have applied elaborate typologies on different kinds of resistances to EU integration and could grasp the different approach by the left and the culturally conservative parties (Conti and Memoli 2012, Halikiopoulou et al. 2012, Saurugger 2013). These could benefit future studies of national parliaments and EU affairs.

### ***The role of the legislative agenda***

The literature on challenger parties has argued that they alter the logic of party competition within their party system (Dolezal 2008a, de Vries and Hobolt 2012, Loxbo and Sjölin 2016). Other party groups would react to the emphasis of the cultural dimension. This study cannot answer this question, as it did not investigate the development over time. However, the results of this study show noticeable differences between the two chambers. The presence of a Eurosceptic challenger party in the *Nationalrat* (and its absence in the time period of investigation in the *Bundestag*) could account for the differences between the two chambers.

The content analysis of this study showed that different topics triggered the framing on either the left-right or the cultural dimension of conflict. The findings showed marked

differences between the two parliaments though. In Germany, the opposition mainly competed on the socio-economic dimension. All three opposition parties held more left-oriented positions than the CDU/FDP government in the period of investigation. The cultural dimension was only addressed to a limited extent. In Austria, the opposition party groups differed strongly on the value dimension (TAN-GAL). The government did not take a strong position on this line of conflict. Much more, the Greens offered strongly divergent policy propositions to the BZÖ and FPÖ. The socio-economic dimension remains underexposed.

These topic-related framing activities of the party groups, in consequence, strongly depended on the parliamentary agenda. If energy or unemployment rates are debated, party groups most likely frame the issues in terms of the traditional left-right cleavages. If treaty reform or intra-EU migration is on the agenda, the framing will span between the TAN-GAL poles. Agenda setting is therefore of major relevance for the communication on EU affairs.

The research design set out for a first test and subsequent refinement of the hypotheses. Hypothesis 2 focused on individual opposition parties. The explanations for EU scrutiny activities appear more complex than the bipolar relationship between an opposition party and the government. The hypothesis should account for the contestation of EU affairs within a chamber. All party groups compete and react to each other within a political system irrespective of their status as governing or opposition party.

Party competition has been explained by two central theories: spatial theory and issue competition. Hypothesis 2 of this study is more closely related to spatial theory, with a focus on the positional distance between party groups. For a refinement of the hypothesis, the logic of issue competition should be accounted for, as it emphasizes the role of agenda setting for electoral success. The theory accounts for agenda setting effect. Each party group tries to promote issues where it deems itself closest to the voters interests and which are unfavorable for the other party groups. Future research should extend Hypothesis 2 by measuring the salience of individual issues to better understand the role of issue competition among opposition parties.

### ***Generalizability of research results***

This study chose a small-n research design as it explored a rather understudied topic on national parliaments and EU affairs. The findings of the analysis need to be taken with

some caution in view of their generalizability to other EU member state. This applies in view of the time period and the selection of member states for study.

The content analysis of this study focused on plenary debates on highly salient issues. The Euro crisis and the EU budget had strong effects on the re-ordering and re-distribution across borders and the future of the EU. The findings on these issues are not necessarily generalizable to other areas of EU policymaking. The crisis triggered strong competition among all party groups. EU issues of lower salience are most likely less contentious. A refined operationalization of salience could help explaining the logic of competition by opposition parties in future research. It would also be interesting to understand in how far the strong presence of EU issues due to the Euro crisis altered the salience and perception of EU issues in the longer run.

This study focused on two member states: Austria and Germany. These two countries were chosen, as their institutional setting and cultural background are quite similar. The case selection further followed the logic of least likely cases for strong party competition among the EU-28. Both countries are classified as rather consensual democratic systems (Lijphart 2002). Parties in minority benefit from better minority protection measures in consensual systems and should be less inclined to opt for public competition. Nevertheless, the results on the six opposition parties in Austria and Germany showed that EU issues were very present in the two parliaments and contested in view of policy and polity design.

To answer the question on the generalizability of the findings of this study, we would first need to answer the question of the impact of the institutional design on opposition parties' behavior. The formal rights on minority protection did not result in actual policy influence in either chamber, but in better influence on the EACs agenda. The institutional prerequisites might therefore not have such a strong effect that findings cannot be generalized beyond the two countries. The limited variation in committee activities within each chamber and the strong contestation of major events, such as the Euro crisis and the EU budget negotiations, might apply to a wider range of EU member states.

## **6.2. Relevance for EU democratic legitimacy**

Parliaments are considered the “living symbols” of democracy. A study of parliament is, in consequence, a study of democracy. This study aimed at contributing to a better

understanding of the democratic legitimacy of the EU by studying national parliaments' involvement. This Section 6.2 briefly reviews the argument on the EU democratic deficit and interprets the results of this study in view of national parliaments' contribution to EU legitimacy.

The legitimacy of the European Union used to be defended through its output by some scholars (Majone 1998, Moravcsik 2004). With the increased competences of the EU and the strong impact of the Euro crisis on citizens' lives, the justification over output alone have ceased (Majone 2016). In its current form, EU decision-making has to be justified through input legitimacy as well. The EU has two channels of electoral legitimacy. On the one hand, the European Parliament co-decides on all issues under the Ordinary Legislative Procedure. On the other hand, national parliaments oversee their governments' activities in the (European) Council in the Ordinary Legislative Procedure and intergovernmental coordination. This study follows the line of argument that sees national parliaments responsible for scrutinizing EU affairs effectively. They should proactively control their own government's position ahead of EU negotiations. Only national parliaments can "translate" the developments at EU level to their national public spheres, as to date there still does not exist a coherent European public sphere (Risse 2010).

The focus on input legitimacy for the EU links to the question of *how much* national parliaments engage in EU affairs? Can legislatures balance the power of executive in EU affairs or are they mere rubber-stamping bodies? Their institutional capacity and the active involvement in the pre-decisional stage to (European) Council negotiations matter to answer this question. This study found that both parliaments set up elaborate EU scrutiny procedures. The governing and opposition party groups used their scrutiny rights to engage in *ex-ante* control over the government. The "mainstreaming" of EU affairs in the *Bundestag* involved a larger range of MPs within the parliament and lead to more regular policy-related plenary debates. In view of the overall scope of involvement both parliaments the *Bundestag* scores better in terms of policy-oriented scrutiny among a larger number of MPs. The *Nationalrat* provides better access to information to EU specialists.

Within the realm of input legitimacy to EU decision-making, the introduction (Section 1.1.2) defined two logics: First, the acceptance of a political regime can be achieved by the inclusion of large segments of the society in the decision-making processes. In this study, the logic of inclusion was linked to the strategy of cooperation by opposition within a domestic legislature. The second type of input legitimacy was termed alteration and

followed the logic of majoritarian democracy (see Kaiser 2002, Lijphart 2012). Party competition is, here, the motor for a critical public debate on potential policy solutions. It provides a choice of various policy programs to the voters for upcoming elections.

Research on democratic legitimacy of the EU has argued that it is mainly built around the principle of inclusion: The political system is characterized by multiple veto-players and a consensual decision-making mode among the EU member states (Gabel 1998). If the EU is assessed in terms of alteration, however, it is considered to lack the politicization of policymaking. “Policy without politics” (Schmidt 2006) is argued to undermine the acceptance of the political system itself. A lack of a choice over EU policy content for the voters would result in dissatisfaction with the polity (Mair 2007). The current dissatisfaction with EU integration, indicated by increasing vote shares of Euro-sceptic parties, seems to be better explained by the lack of majoritarian democratic principles.

This study took the argument on an “opposition deficit” as a starting point to empirically investigate the extent of opposition to EU policy-making and EU integration in national parliaments. Domestic legislatures not only control their own government in the Council, they also act as “gate-keepers” of EU integration due to their ratification rights on treaty reform and enlargement of the EU. National parliaments should, therefore, be forums to discuss policy alternatives and avenues for future EU integration. This study investigated opposition parties, as they are the “natural” agent for the critical debate on EU affairs within their legislatures.

The analysis of committee initiatives and plenary debates showed that all opposition parties competed on EU policymaking or polity design (6.1.2). Within the period of investigation, the assumption of a lack of politicization of EU affairs does not hold. Yet, competition on EU affairs is not all encompassing in either parliament. The lines of competition on EU affairs generally corresponded to the usual patterns of competition by the opposition parties in both parliaments. Each chamber focused on one dimension of political conflict though. Competition in the *Bundestag* focused on socio-economic EU issues. In the *Nationalrat*, the cultural dimension dominated the debate. Ideally, the debate would link both dimension of political conflict. EU policy contents would be paired with a critical discussion on the purpose of EU integration among all party groups. Competition is partial in both parliaments due to the focus on one dimension only.

It is important to differentiate the role of policy- and polity-oriented competition in this respect. Competition on the left-right scale corresponds to policy-oriented rivalry. On the cultural dimension, the topics related more to the question of polity design. Opposition studies have argued that the contestation of the *polity* undermines legitimacy. The positive effect on democratic legitimacy would stem from “classic” opposition on different *policy* option (Kirchheimer 1957, Sartori 1966). The argument needs to be more differentiated on EU affairs. The European Union is a system in the making, whose *finalité* has never been determined. It is therefore important to discuss the purpose and goals of EU integration. An outright anti-system view may undermine EU legitimacy, as expressed by parties favouring an exit from the EU. A critical debate on different avenues of the future of integration could, however, be valued positively.

The topics relating to the cultural dimension are of special interest to understand the debate on the EU system making. The regular parties in both countries claimed repeatedly that “More Europe” would be necessary to overcome the crisis and embrace the “European idea”. Both frames remain vague and did not formulate a clear and contestable vision for the future development of the political system. *How* do the mainstream parties intend to advance EU integration? The two anti-establishment parties disrupted this unspecific pro-European framing of regular parties with a clear counter-proposal: Both argue for a “Core Europe” of net-contributors to the EU budget and a limited range of competences for EU institutions. On the one hand, they encourage a more fundamental debate on the purpose of EU integration. On the other hand, they do not contribute to EU legitimacy through competition towards EU policy proposals but question the system factors. The position of the FPÖ and BZÖ is not entirely anti-system (“principled”, see Sartori 1966), but they do argue for a devolution of competences towards the national level. Mair’s (2007) argument seems to hold partially true: The opposition formulated by the anti-establishment parties turns against the polity to restore policy choice at national level. On topics less directly related to EU integration, all opposition parties competed on policy-contents.

Within each parliament one dimension of political conflict dominated the scrutiny and debates on EU affairs. Existing research has argued that challenger parties alter the dimensions of competition within a party system (Minkenberg 2001, Kriesi et al 2006). Miklin (2014) has argued that the cultural dimension dominated the debates on EU affairs in Austria due to the presence of the Eurosceptic BZÖ and FPÖ. It would inhibit controversies among mainstream parties along the left-right dimension. This study cannot

directly answer to this debate, as it does not investigate the development over time. It notes a clear difference between the parliament with an anti-establishment party and the one where no challenger to the mainstream is present.

The difference between the two parliaments may be enhanced by the different styles of processing EU affairs. The *Nationalrat* centralizes EU scrutiny mainly at the committee level. Only highly salient EU issues are debated at the plenary. The focus on highly salient issues might be contra-productive in terms of politicization of EU policy. The debates focus on issues of polity design and less on policy content. The “mainstreaming” of EU affairs in the *Bundestag* favoured a more regular and policy-oriented involvement of the plenary.

Overall, it appears rather unfortunate to leave contestation on the future of EU integration to the anti-establishment parties. The framing analysis of this study showed a link of topics of EU integration to anti-elitism. BZÖ and FPÖ presented themselves as protecting citizens’ interests and national sovereignty against a weak and corrupt government, which sells out Austrian national interests in Brussels. The anti-establishment stance is highly problematic in terms of democratic legitimacy: The de-legitimization of all other political actors enhances distrust in established actors and institutions. Müller (2016) argues that the self-representation as the only “true” representatives of citizens’ interests undermines democratic principles according to which the interests of various groups should be represented equally. A broader debate among all political party groups would reduce the “niche’ness” of the anti-establishment parties and could reduce the electoral advantage of this strategy.

This study has shown that actual cooperation is rare in the Bundestag and Nationalrat, even at the committee level. Despite the minority protection – especially on EU affairs after Lisbon – opposition parties do not have much policy influence in the regular legislative process. Common activities often result from a pre-existing consensus among party groups. During the period of investigation, the only instance where governing and opposition parties negotiated over policy content, was before the two-thirds majority votes on the reform of Art. 136 TFEU. In terms of legitimacy, the inclusion of minority on a constitutional change is the most important. Parties in opposition will have to face the consequences of a rather irreversible decision after they take over government. At this crucial moment of EU integration, opposition parties in both countries had an influence. When it comes to regular EU policymaking, the strategy of cooperation did not play a role.



Competition on EU affairs might alter in the Austrian chamber in the future, since one of the anti-establishment parties entered the government with the ÖVP in late 2017. The FPÖ has to live up to the challenge of being a part of the very establishment, which it has excessively criticized. Van Spanje (2011) showed that the electoral cost is high for anti-establishment parties who entered government. The communicative strategy of anti-elitism can only with difficulty be maintained towards the government personnel, now that the Freedom Party shares government responsibility. This could calm the criticism towards a lack of defending national interests in EU negotiations. Alternatively, the EU institutions and leaders could serve as the valve for the FPÖ, if it maintains the anti-elitism as its electoral vehicle.

Competition on EU affairs is subject to change in the *Bundestag* as well. In the period under investigation, there was no Euro-sceptic, culturally conservative party in the *Bundestag*. With the last elections in September 2017 the Alternative for Germany has won parliamentary representation. Following the argument of Kriesi (2006) and Miklin (2014), the cultural dimension of conflict could become more relevant for party competition in Germany and gain salience. It will be interesting to see whether these assumptions hold true. Since the German party system is characterized by stronger left-right competition to begin with, the development might differ from the Austrian experience.

Overall, opposition parties in the *Bundestag* and *Nationalrat* contributed to a lively debate on EU affairs in the period of investigation. The role of opposition in national parliaments has to be evaluated in context of the EU multi-level system. Their influence should not be overestimated in its impact on EU democratic legitimacy. The consensual decision-making mode and multiple veto players within the system, leave a single member states position with limited impact. The effect of successful advertising of policy alternatives by opposition parties would be limited to the one member state. Several channels of input and output legitimacy need to blend together to validate democratic legitimacy of the EU.

## Apenndix I – Party positions

Table 12 provides an overview on positioning of Austrian and German parties from various sources in the period of investigation. The Chapel Hill Expert Survey (CHES 2010) use a scale for the left-right dimension (Irecon), which ranges from 0 = extreme left over 5 = centre to 10 = extreme right. The Comparative Manifesto Project (CMP) developed an index on left-right (rile) where negative scores indicate a position towards the left and positive to the right. The table also shows the positioning according to the index developed by Franzmann and Kaiser (2006). They use the CMP data, but account for valence issues, which are dealt with consensually in a country. They also differentiate a social or value dimension (Irsoc). The galton-scale from the CHES database uses a scale from 0 = GAL, 5 = centre to 10 = TAN (see Codebook, CHES 2016).

	CHES 2010	CMP	FK 2010	Bakker et al. 2014	CHES 2010	FK 2010
	Irecon	rile	Irecon	Irecon	galton	Irsoc
SPÖ	2.64	-17.87	3.19	-.09	3.93	2.90
ÖVP	6.86	-1.15	3.66	.08	7.21	4.65
<i>Grüne</i>	2.21	-9.47	2.87	-.10	1.5	1.61
BZÖ	7.29	-8.70	3.91	.10	7.79	6.98
FPÖ	centre	-1.30	5.79	-.00	8.71	5.34
CDU	6.00	8.72	6.31	.06	6.25	6.39
CSU	5.50	5.50	6.31	.06	7.13	6.39
FDP	8.19	4.27	7.93	.15	3.53	3.25
SPD	3.00	-18.30	2.86	-.08	4.50	4.41
<i>90/Grünen</i>	3.88	-13.57	2.76	-.02	1.88	1.94
<i>Linke</i>	1.00	-24.49	0.81	-.17	4.62	1.97

Table 17: Data on party positions from different sources.

## Appendix II – Results of the content analysis of motions:

### Policy areas

The following table summarizes the results on all policy areas coded in the content analysis of motions. Each motion was allocated to only one policy field. Where it touched upon several aspects, the predominant one was coded.

Policy field	SPÖ/ ÖVP	Grün <i>e</i>	BZÖ	FPÖ	Joint	CDU /FDP	SPD	90/G <i>rünen</i>	Linke	Total NR	Total BT
Crisis	6	19	16	15	2	3	1	1	3	58	8
Migration	6	8	10	6	–	1	2	1	2	30	6
Energy	7	11	5	–	2	5	5	3	3	25	16
EU integration	2	1	13	6	1	1	1	–	1	23	3
Budget	–	3	4	5	1	1	1	1	–	13	3
Econ	10	–	–	–	–	–	–	–	–	10	–
Social	2	1	1	2	3	1	4	1	4	9	10
JHA	3	1	2	2	–	–	–	–	–	8	–
Internal market	2	2	1	1	1	5	1	2	1	7	9
Future agenda	–	5	–	1	1	1	2	1	–	7	4
Family	4	1	2	–	–	–	–	–	–	7	–
Finance	3	1	–	–	3	–	–	–	–	7	–
Infrastructure	4	–	–	–	2	2	3	1	5	6	11
Agriculture	–	2	1	2	1	–	–	–	–	6	–
Enlargement	–	–	1	4	–	4	3	5	1	5	13
Free trade	3	–	–	1	–	2	–	–	2	4	4
Data protection	1	2	–	1	–	–	–	–	–	4	–
Food safety	1	–	–	–	2	–	–	–	–	4	–
Gender	1	–	–	1	–	–	–	–	–	4	–
Environment	3	–	–	–	–	–	–	–	–	3	–
EU staff	–	1	–	2	–	–	–	–	–	3	–
CFSP	–	–	–	–	2	1	–	2	1	2	4
Culture	1	–	–	1	–	–	–	–	–	2	–
Education	1	–	–	1	–	–	–	–	–	2	–
EU institutions	–	–	–	–	–	5	1	2	–	–	8
Econ governance	–	–	–	–	–	1	2	–	–	–	3
EU democracy	–	–	–	–	–	–	–	1	–	–	1
Nat Parl rights	–	–	–	–	–	1	–	–	–	–	1
Standardization	–	–	–	–	–	1	–	–	–	–	1
Tourism	–	–	–	–	–	1	–	–	–	–	1
Total	60	58	59	51	21	36	26	21	23	249	106

Table 18: Policy areas addressed in motions.

## Appendix III – List of joint motions

The following table lists all initiatives that were issued by more than one party group indicating the originators and topics of the matter.

### *Nationalrat, September 2008 to September 2013*

#### Committee for Employment and Social Affairs

	Date	Name	EU-related	Initiator	Supported by
1	02 Dec 2009	<i>Evaluierung und Weiterentwicklung der Behindertenanwaltschaft</i>	No	All	All
2	12 May 2010	<i>Service- und Signalthunde</i>	No	All	All
3	05 Oct 2010	<i>Anerkennung von Taubblindheit als eigenständige Art der Behinderung</i>	No	All	All
4	15 Mar 2011	<i>bundeseinheitliche Regelungen betreffend Persönliche Assistenz 1098 d.B.)</i>	No	All	All
5	28 Jun 2011	<i>pflegende Kinder und Jugendliche</i>	No	All	All
6	06 Oct 2011	<i>Vereinfachung des Zuganges zu benötigten Hilfsmitteln für Kinder</i>	No	All	All
7	06 Oct 2011	<i>Vereinheitlichung der Begutachtung für die Ausstellung von Parkausweis und Behindertenpass</i>	No	All	All
8	14 Oct 2009	<i>Umsetzung eines Maßnahmenpakets für freiwillige Helferinnen und Helfer</i>	No	SPÖ, ÖVP, Grüne, FPÖ	SPÖ, ÖVP, Grüne
9	11 Oct 2012	<i>Reform des Behindertengleichstellungsrechts</i>	No	SPÖ, ÖVP, Grüne, FPÖ	All
10	11 May 2011	<i>Erstellung eines Berichtes über die Lebenssituation älterer Menschen in Österreich</i>	No	SPÖ, ÖVP, FPÖ	SPÖ, ÖVP, Grüne, BZÖ
11	11 May 2011	<i>Erhöhung der Nettoersatzrate in der Arbeitslosenversicherung</i>	No	SPÖ, ÖVP, BZÖ	SPÖ, ÖVP, Grüne, BZÖ
12	11 May 2011	<i>Kontrolle von Kurzarbeit</i>	No	SPÖ, ÖVP, Grüne	SPÖ, ÖVP, Grüne, BZÖ, FPÖ
13	23 Nov 2011	<i>Überführung der Architekten und Ingenieurkonsulenten in das FSVG</i>	No	SPÖ, ÖVP, Grüne	SPÖ, ÖVP, Grüne, BZÖ, FPÖ
14	27 Jun 2012	<i>Allgemeine Sozialversicherungsgesetz</i>	No	SPÖ, ÖVP, Grüne	SPÖ, ÖVP, Grüne, BZÖ, FPÖ

#### Sub-Committee for EU Affairs

	Date	Name	EU-related	Initiator	Supported by
1	26 Mar 2009	<i>Klimaschutz, Atomenergie</i>	Yes	SPÖ, ÖVP, BZÖ	All
2	13 Jul 2010	<i>Finanzaufsicht</i>	Yes	SPÖ, ÖVP, Grüne	SPÖ, ÖVP, Grüne, BZÖ, FPÖ

3	14 Dec 2010	GMO	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
4	18 Jan 2011	<i>Stabilitäts- und Wachstumspakt</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i> , BZÖ
5	18 Jan 2011	<i>Europäische Menschenrechtskonvention</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i> , BZÖ
6	10 May 2011	<i>Fukushima, radioactive food</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	All
7	07 Jun 2011	<i>Besteuerung Energieerzeugnisse</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
8	07 Jun 2011	<i>Besteuerung Energieerzeugnisse</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
9	27 Sep 2011	<i>Europa 2020</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
10	13 Dec 2011	<i>Basiskonto</i>	Yes	SPÖ, ÖVP, <i>Grüne</i> , BZÖ	All
11	13 Dec 2011	<i>Europäischer Globalisierungsfond</i>	Yes	SPÖ, ÖVP, BZÖ	SPÖ, ÖVP, <i>Grüne</i> , BZÖ
12	31 Jan 2012	<i>Roaming Kosten, Mobilfunknetze</i>	Yes	All	All
13	17 Apr 2012	<i>Humanarzneimittel, Krankenversicherungssysteme</i>	Yes	All	All
14	01 Jul 2013	<i>Pflanzenvermehrungsmaterial</i>	Yes	SPÖ, ÖVP, BZÖ	All
15	25 Jun 2013	<i>Infrastruktur</i>	Yes	All	All

#### Main Committee for EU Affairs

	Date	Name	EU-related	Initiator	Supported by
1	28 Oct 2009	Lisbon treaty implementation, EU <i>Bürgerinitiative</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
2	28 Oct 2009	FTT	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i> , BZÖ
3	27 Jun 2012	<i>Economic Governance</i>	Yes	SPÖ, ÖVP, <i>Grüne</i>	SPÖ, ÖVP, <i>Grüne</i>
4	21 Mar 2013	<i>Klimaschutz, Atomenergie nicht low carbon</i>	Yes	All	All

#### Committee for Economy and Industry

	Date	Name	EU-related	Moved by	Supported by
1	27 Nov 2012	<i>Stromnetzanpassung für die Energiewende</i>	No	<i>Grüne</i> , BZÖ, FPÖ	vertagt

### Bundestag, September 2009 to September 2013

#### Committee for Employment and Social Affairs

	Date	Name	EU-related	Moved by	Supported by (abstention in brackets)
1	16 Jun 2010	<i>Entwurf eines Gesetzes zur Weiterentwicklung der Organisation der Grundsicherung für Arbeitsuchende</i>	No	CDU, FDP, SPD	CDU, FDP, SPD (90/ <i>Grünen</i> , <i>Linke</i> )

#### Committee for European Affairs

	Date	Name	EU-related	Moved by	Supported by (abstention in brackets)
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1	17 Apr 2013	<i>Entwurf eines Gesetzes über die Zusammenarbeit von Bundesregierung und Deutschem Bundestag in Angelegenheiten der Europäischen Union</i>	Yes	All	All
2	13 Jun 2012	<i>Ehrlicher Dialog über europäische Grundwerte und Grundrechte in Ungarn</i>	Yes	SPD, 90/Grünen	SPD, 90/Grünen (Linke)
3	20 Feb 2012	<i>Das ungarische Mediengesetz – Europäische Grundwerte und Grundrechte verteidigen</i>	Yes	SPD, 90/Grünen	SPD, 90/Grünen, Linke

#### Committee for Economy and Industry/Technology

	Date	Name	EU-related	Moved by	Supported by (abstention in brackets)
1	20 Jan 2011	<i>Am Ausbau der hocheffizienten Kraft-Wärme-Kopplung festhalten</i>	No	SPD, 90/Grünen	SPD, 90/Grünen, Linke
2	13 Jun 2012	<i>Presse-Grosso gesetzlich verankern</i>	No	SPD, 90/Grünen	SPD, 90/Grünen (Linke)
3	07 Mar 2013	<i>Keine Bürgschaft für den Bau des Atomkraftwerks Angra 3</i>	No	90/Grünen, Linke	SPD, 90/Grünen, Linke

Table 19: List of joint initiatives of several party groups.

## Appendix IV – Codebook for the frame analysis

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The unit of analysis of this framing analysis is not necessarily a grammatical sentence. A coded statement may include several grammatical sentences, which form a logical unit.

Each statement is assigned a weight to measure the intensity with which the speaker argues for it (1, 2 or 3).

Weight of 1: When a frame is referred to only superficially in one sentence or less, the weight is assigned at 1.

Weight of 2: Where a proper argument is formulated and a statement has more than one sentence.

Weight of 3: When special emphasis or a longer explanation of more than two sentences occurs.

The following list covers all nine topics and their frames that formed the categories for the content analysis of this study. It explains the meaning for each frame.

### **Topic 1) Collective interests**

#### National interest

This frame is coded when a speaker argues for member state interests in the sense of a zero sum game. That means that the interests of the own country are conceptualized as incompatible with EU interests and other member state interests. This frame often takes the form of an MP demanding to contribute less to the EU level or to defend the national interests in negotiations in Brussels against the wishes of other member states.

#### EU interest

The frame includes all statements that refer to a European common interest. The EU interest needs to be independent from the own national interest. It is not coded when EU interest are presented as identical to national ones, but when a European common good stands “above” national interests.

### **Topic 2) Sovereignty**

#### Protect national sovereignty

This frame includes all statements that argue for protection of national institutions and national sovereignty.

#### Protect national democracy

The frame covers all statements that address a lack of democratic legitimacy due to or within the EU. It is only coded when the argument focuses on the national sphere. The frame is a sub-frame of protecting national sovereignty, since the lack of following national democratic procedures is a concern for protecting the sovereignty.

### European Idea

Statements that address Europe as a community of values or refer to the unity of Europe as a value in itself. It includes statements that allude to peace as a goal or achievement of European integration. Arguments that correspond to the idea of mutual dependence among member states form part of this frame as well, as they imply a European shared fate.

### **Topic 3) The EU polity**

#### Intergovernmental

The frame covers all statements arguing in an intergovernmental logic, thus, focussing on competences of the member states. It includes arguments for unanimous decision-making in the Council of Ministers and the importance of subsidiarity.

#### Core Europe

This frame conceptualizes a desintegration in form of exclusion of certain member states of certain aspects of EU integration. It can take various forms, such as the vision of a „core Europe“, or the demand for exits from the Euro zone.

#### More EU

The frame includes statements that conceive of Europe as the solution for the Euro crisis or other policy problems. It is of general nature. Statements coded under this frame do not develop an intergovernmental or supranational vision of EU integration. It includes the statements on EU unity as success of supranational decision-making processes, one-speed Europe, no exits from the EU or the Euro zone and the demand for stronger control mechanisms at EU level.

#### Supranational

This frame codes statements in support of the supranational mode of governance in the EU. It includes the demand for qualified majority voting and an increase in formal competences for the EU institutions.

### **Topic 4) Cross-border transfer**

#### No transfer

All statements are coded under this frame that argue against cross-border financial support or collective debt in the EU. The frame also covers the arguments against net-payments to EU level. Net-payments imply that the some of the member states contribution is in parts allocated to invest in another member state. Arguments against Euro-bonds and against the ESM are included in this frame.

#### Transfer

This frame includes all statements that support the idea of financial support across borders within the EU. These include arguments on „solidarity“ towards crisis countries. It also covers statements that argue for a responsibility of the richer countries to contribute more towards the EU and the increase of the EU budget or regional and structural funds.



## **Topic 5) Socio-economic goals of the EU**

### Social Europe

The frame includes all statements that imply that labour and social protection is a goal the EU integration. It includes the establishment of laws on worker protection at EU level as well as the demand that the EU tasks is e.g. the fight against poverty and unemployment.

### Global competition

This frame covers statements that argue for EU integration as a means to compete with other countries or regions on the world, e.g. China, Brazil or the US. The frame is also coded when a speaker demands more competitiveness of the EU, as it implies competition by other actors.

### Economic prosperity

All statements are coded with this frame that refer to economic prosperity as a reason for in European integration. General statements of increased welfare are included as well as the specific benefit of the own member state. Speakers using this frame argue for a material benefit of the member state from EU membership.

## **Topic 6) Budget policy**

### Anti-austerity

The frame covers all statements that criticize austerity as solution of the Euro crisis. It also includes demands for an increased EU budget, which would be necessary to invest more in the crisis countries.

### Economic orthodoxy

The frame includes statements that argue for reducing public debt and the necessity of austerity. It can be related to national budget of the own member state, other member state budgets, e.g. of crisis countries, or the EU budget. Arguments in favour of stability – understood in terms of fiscal responsibility – were included in this frame.

### Reduce imbalances

The frame covers all statement that address macro-economic imbalances across EU member states and point out to the role of Germany or Austria as export countries with low wages.

### Accept imbalances

This frame includes statements which defend macro-economic imbalances within the EU. Often speakers claim that member states with current account deficits would still benefit by the economic prosperity produced by those with surplus through manifold economic ties.

## **Topic 7) Roots of the crisis**

### Social injustice

The frame is coded for statements that address any form of social injustice. This mainly comes in form of critique towards business or political elites who ignore the citizens' interests and needs. The frame is not coded when only a specific social group, e.g. farmers, are argued to be disadvantaged.

### Conditionality

This frame covers the idea that each nation state is responsible for its own fate. It includes any statement that addresses some EU member states not having behaved responsibly, through public overspending or manipulating economic indicators to enter the Euro zone. It also includes those arguments that address conditionality for receiving support in times of crisis.

## **Topic 8) Role of the state**

### Regulation

The frame includes statements that demand a more regulated economy. It covers the request for stronger regulation of the finance sector.

### Deregulation/ Efficiency

This frame covers statements favouring less regulation of economy. It also includes demands for more efficient public administration and statements in favour of free trade.

## **Topic 9) Goals in economic policy**

### Labour and social protection

The frame includes all statements that address labour and social protection as a political goal or necessity. It covers demands to reduce poverty and unemployment (irrespective of EU purpose). This frame also includes the demand of redistributive measures in favour of citizens with low income. It does not cover redistribution across borders, but only among „classes“, e.g. higher taxation of wealthy people.

### Incentives

The frame is coded for statements that allude to setting incentives to encourage economic activity and growth. This may include lower taxes for businesses.

## Appendix V – List of plenary debates on EU issues

This list presents all EU-related debates in the *Nationalrat* and *Bundestag* in the legislative period from 2008/9 to 2013. It indicates the number of the plenary debate, the topic and the date.

No.	<i>Nationalrat</i> / Topic	Date	<i>Bundestag</i> / Topic	No.
8	<i>Finanzkrise, Konjunktorentwicklung, Energie- und Klimapolitik in der EU</i>	10 Dec 08		
10	<i>Erklärungen zur österreichischen EU-Politik</i>	21 Jan 09		
10	<i>Gleichberechtigte Verwendung der deutschen Sprache als EU-Verfahrenssprache neben Englisch und Französisch</i>	21 Jan 09		
14	<i>EU-Finanzstrafvollstreckungsgesetz - EU-FinStrVG</i>	26 Feb 09		
14	<i>Europa-Wahlordnung, Europa-Wählerevidenzgesetz</i>	26 Feb 09		
23	<i>Europäische und internationale Angelegenheiten</i>	20 May 09		
27	<i>dringend notwendigen ökologisch-sozialen Umbau Europas und die Unvereinbarkeit dieser Reformen mit einer zweiten Amtszeit von Kommissionspräsident Barroso sowie mehr Transparenz in der österreichischen Europapolitik</i>	17 Jun 09		
31	<i>Stabilisierungs- und Assoziierungsabkommen zwischen den Europäischen Gemeinschaften und ihren Mitgliedstaaten einerseits und Bosnien und Herzegowina andererseits samt Schlussakte</i>	09 Jul 09		
32	<i>Einsatz gegen die Zulassung von "Gigalinern" auf europäischer Ebene</i>	10 Jul 09		
37	<i>das Bundesgesetz über die Geschäftsordnung des Nationalrates (Geschäftsordnungsgesetz 1975) geändert wird (EU-Hauptausschuss, Europastunde, Aktuelle Europastunde, EU-Erklärungen)</i>	23 Sep 09		
45	<i>Das völlige Versagen (Bundeskanzler) Faymanns in der aktuellen EU-Politik</i>	18 Nov 09		
		02 Dec 09	<i>Durchwinken des SWIFT-Abkommens durch die Bundesregierung und Umgehung des Europäischen Parlaments</i>	8
		03 Dec 09	<i>Die EU-Perspektive der südosteuropäischen Staaten Albanien, Bosnien und Herzegowina, Kosovo, Makedonien, Montenegro und Serbien verstärken</i>	9

	16 Dec 09	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias (...) // Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation "Althea" zur weiteren Stabilisierung des Friedensprozesses in Bosnien und Herzegowina (...)</i>	11
	17 Dec 09	<i>Beschlussempfehlung und Bericht des Auswärtigen Ausschusses (3. Ausschuss) zu dem Antrag der Bundesregierung Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias auf Grundlage des Seerechtsübereinkommens der Vereinten Nationen (...)</i>	12
	17 Dec 09	<i>Herstellung des Einvernehmens über die Aufnahme von Verhandlungen über den Beitritt der Republik Island zur Europäischen Union</i>	12
	17 Dec 09	<i>Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 10./11. Dezember 2009 in Brüssel und zur UN-Klimakonferenz vom 7. bis 18. Dezember 2009 in Kopenhagen</i>	12
	18 Dec 09	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation "ALTHEA" zur weiteren Stabilisierung des Friedensprozesses in Bosnien und Herzegowina (...)</i>	13
	25 Feb 10	<i>Ausführungsgesetzes zur Verordnung (EG) Nr. 1060/2009 des Europäischen Parlaments und des Rates vom 16. September 2009 über Ratingagenturen (Ausführungsgesetz zur EU-Ratingverordnung)</i>	24
	04 Mar 10	<i>Europa 2020 - Strategie für ein nachhaltiges Europa Gleichklang von sozialer, ökologischer und wirtschaftlicher Entwicklung</i>	27
<hr/>			
57	24 Mar 10	<i>Erklärung Dr. Spindelegger: aktuelle Fragen der österreichischen EU-Politik</i>	
<hr/>			
59	25 Mar 10	<i>Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 25./26. März 2010 in Brüssel</i>	34
60	21 Apr 10	<i>Die Krise überwinden - mit sozialer Gerechtigkeit und einer neuen Finanzmarktarchitektur</i>	
62	22 Apr 10	<i>Einvernehmensherstellung von Bundestag und Bundesregierung zum Beitrittsantrag der Republik Island zur Europäischen Union und zur Empfehlung der EU-Kommission vom 24. Februar 2010 zur Aufnahme von Beitrittsverhandlungen</i>	37
<hr/>			

	05 May 10	<i>Regierungserklärung durch die Bundeskanzlerin zu den Maßnahmen zum Erhalt der Stabilität der Währungsunion und zu dem bevorstehenden Sondergipfel der Euro-Länder am 7. Mai 2010 in Brüssel</i>	39
	06 May 10	<i>Übergangsmaßnahmen zur Zusammensetzung des Europäischen Parlamentes nach Inkrafttreten des Vertrages von Lissabon</i>	40
	07 May 10	<i>Gesetzes zur Übernahme von Gewährleistungen zum Erhalt der für die Finanzstabilität in der Währungsunion erforderlichen Zahlungsfähigkeit der Hellenischen Republik (Währungsunion-Finanzstabilitätsgesetz – WFSStG)</i>	41
66	19 May 10	<i>Stabilisierung der gemeinsamen europäischen Währung und den Lehren aus der Griechenland-Krise</i> <i>Entwurf eines Gesetzes zur Übernahme von Gewährleistungen im Rahmen eines europäischen Stabilisierungsmechanismus</i>	42
	20 May 10	<i>Europa 2020 – Die Wachstums- und Beschäftigungsstrategie der Europäischen Union braucht realistische und verbindliche Ziele</i>	43
	10 Jun 10	<i>Einen effizienten und schlagkräftigen Europäischen Auswärtigen Dienst schaffen</i>	46
	10 Jun 10	<i>Europa 2020 – Die Wachstums- und Beschäftigungsstrategie der Europäischen Union braucht realistische und verbindliche Ziele</i>	46
	10 Jun 10	<i>zu dem Vorschlag der Europäischen Kommission für eine Verordnung des Europäischen Parlaments und des Rates über die Bürgerinitiative</i>	46
69	16 Jun 10	<i>Europäisches Übereinkommen über die Hauptbinnenwasserstraßen von internationaler Bedeutung (AGN)</i>	
69	16 Jun 10	<i>Naturkosmetik und Biokosmetik - Täuschungsschutz auf EU-Ebene</i>	
69	16 Jun 10	<i>Überarbeitung und Verschärfung der EU-Spielzeugrichtlinie</i>	
	01 Jul 10	<i>Für eine soziale Revision der Entsenderichtlinie</i>	51
72	07 Jul 10	<i>Bundesgesetz, mit dem ein Bundesgesetz über das Wirksamwerden der Verordnung (EG) Nr. 1060/2009 des Europäischen Parlaments und des Rates vom 16. September 2009 über Ratingagenturen (ABl. Nr. L 302 vom 17.11.2009, S. 1) (Ratingagenturenvollzugsgesetz – RAVG) erlassen wird sowie das Finanzmarktaufsichtsbehördengesetz geändert wird</i>	
73	08 Jul 10	<i>Lissabon-Begleitnovelle</i> <i>Legislativ- und Arbeitsprogramm der Europäischen Kommission für 2010</i>	55
73	08 Jul 10	<i>Volksabstimmung über den Ausstieg Österreichs aus dem Euratom-Vertrag</i>	
77	22 Sep 10	<i>Aktuelle Entwicklungen der Asyl- und Migrationspolitik auf europäischer Ebene</i>	

	01 Oct 10	<i>Energiekonzept umsetzen – Der Weg in das Zeitalter der Erneuerbaren Energien</i>	63
	07 Oct 10	<i>Ausländische Bildungsleistungen anerkennen – Fachkräftepotentiale ausschöpfen</i>	65
	07 Oct 10	<i>Vorschlag für eine Richtlinie .../.../EU des Europäischen Parlaments und des Rates über Einlagensicherungssysteme [Neufassung] (inkl. 12386/10 ADD 1 und 12386/10 ADD 2) (ADD 1 in Englisch)</i>	65
	08 Oct 10	<i>Beitrittsantrag der Republik Serbien zur Prüfung an die Europäische Kommission weiterleiten</i>	66
	27 Oct 10	<i>Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 28./29. Oktober 2010 in Brüssel und zum G-20-Gipfel am 11./12. November 2010 in Seoul</i>	67
	28 Oct 10	<i>Gesetzes zur Anpassung des deutschen Rechts an die Verordnung (EG) Nr. 380/2008 vom 18. April 2008 zur Änderung der Verordnung (EG) Nr. 1030/2002 zur einheitlichen Gestaltung des Aufenthaltstitels für Drittstaatenangehörige</i>	68
	12 Nov 10	<i>Kinderspielzeug – Risiko für kleine Verbraucher</i>	72
85	18 Nov 10	<i>Amtssitzabkommen zwischen der Republik Österreich und der Agentur der Europäischen Union für Grundrechte</i>	
85	18 Nov 10	<i>Bericht des Bundesministers für Landesverteidigung und Sport betreffend Arbeitsprogramm der Europäischen Kommission für 2010</i>	
85	18 Nov 10	<i>Stabilisierungs- und Assoziierungsabkommen zwischen den Europäischen Gemeinschaften und ihren Mitgliedstaaten einerseits und der Republik Serbien andererseits samt Schlussakte einschließlich der dieser beigefügten Erklärungen</i>	
85	18 Nov 10	<i>Verhandlungen der Bundesregierung auf europäischer Ebene zur Erreichung einer restriktiven Einwanderungspolitik und einem Ausbau der EU-Agentur Frontex</i>	
	02 Dec 10	<i>EU-Operation ALTHEA in Bosien und Herzegwina</i>	78
	02 Dec 10	<i>EU-Operation Atalanta vor Somalia</i>	78
	02 Dec 10	<i>Irland unterstützen und Steuerharmonisierung vorantreiben</i>	78
	15 Dec 10	<i>Regierungserklärung durch die Bundeskanzlerin zum Europäischen Rat am 16./17. Dezember 2010 in Brüssel</i>	80
93	20 Jan 11	<i>Kein Euro-Haftungsschirm ohne Volksabstimmung, Herr Bundeskanzler</i>	84
93	20 Jan 11	<i>Protokoll zur Änderung des Protokolls über die Übergangsbestimmungen, das dem Vertrag über die Europäische</i>	84
		<i>Arbeitsprogramm der Europäischen Kommission für das Jahr 2011</i>	
		<i>Standpunkt und Konsequenzen der Bundesregierung zum ungarischen Mediengesetz</i>	

	27 Jan 11	<i>Auf dem europäischen Sondergipfel zur Energiepolitik am 4. Februar 2011 verbindliche Maßnahmen vereinbaren</i>	87
	27 Jan 11	<i>Gemeinsame Europäische Agrarpolitik nach 2013 – Förderung auf nachhaltige, bäuerliche Landwirtschaft ausrichten</i>	87
	10 Feb 11	<i>Gesetzes zu dem Stabilisierungs- und Assoziierungsabkommen vom 29. April 2008 zwischen den Europäischen Gemeinschaften und ihren Mitgliedstaaten einerseits und der Republik Serbien andererseits</i>	90
	25 Feb 11	<i>Gegen das Zwei-Klassen-Internet</i>	94
96	Ausstieg Österreichs aus dem Euratom-Vertrag	01 Mar 11	
	17 Mar 11	<i>Einvernehmensherstellung von Bundestag und Bundesregierung zur Ergänzung von Artikel 136 des Vertrages über die Arbeitsweise der Europäischen Union (AEUV) hinsichtlich der Einrichtung eines Europäischen Stabilitätsmechanismus (ESM)</i>	96
	18 Mar 11	<i>Europäische Strategie zugunsten von Menschen mit Behinderungen 2010–2020: KOM(2010) 636 endg</i>	97
	18 Mar 11	<i>Gemeinsamen Standpunkt der EU für Waffenausfuhren auch bei Rüstungsexporten</i>	97
98	Aktuelle Perspektiven der österreichischen und europäischen Energiepolitik nach Fukushima	22 Mar 11	
	24 Mar 11	<i>Entwurf eines Gesetzes zur strikten Regulierung der Arbeitnehmerüberlassung</i>	99
	24 Mar 11	<i>Regierungserklärung zum Europäischen Rat am 24./25. März 2011 in Brüssel</i>	99
99	Bundesgesetz, mit dem ein Bundesgesetz über bestimmte Aspekte der grenzüberschreitenden Mediation in Zivil- und Handelssachen in der Europäischen Union erlassen sowie die Zivilprozessordnung, das IPR-Gesetz und das Suchtmittelgesetz geändert werden	30 Mar 11	
100	Kein Euro-Haftungsschirm ohne Volksabstimmung, Herr Bundeskanzler	31 Mar 11	
100	dringliche Maßnahmen gegen Armut und soziale Ausgrenzung im Europäischen Jahr gegen Armut und soziale Ausgrenzung	31 Mar 11	
100	Verlängerung der Übergangsfristen zur Öffnung des österreichischen Arbeitsmarktes für neue EU-Mitgliedstaaten	31 Mar 11	
101	Genug gezahlt für Pleitestaaten – von der Europhorie zur Euroslerose	01 Apr 11	
	07 Apr 11	<i>Entwurf eines Zweiten Gesetzes zur Änderung des Europäische Betriebsräte-Gesetzes – Umsetzung der Richtlinie</i>	102

	07 Apr 11	<i>Telekommunikationsmarkt verbrauchergerecht regulieren</i>	102
	14 Apr 11	<i>Für einen Neubeginn der deutschen und europäischen Mittelmeerpolitik</i>	105
	14 Apr 11	<i>Gesetzes zur Koordinierung der Systeme der sozialen Sicherheit in Europa und zur Änderung anderer Gesetze</i>	105
	14 Apr 11	<i>Pläne der EU Kommission zur stärkeren Besteuerung von Diesel-Kraftstoffen</i>	105
	14 Apr 11	<i>Strategie der Europäischen Union für den Donauraum effizient gestalten</i>	105
	15 Apr 11	<i>Keine Vorratsdatenspeicherung von Fluggastdaten – Richtlinienvorschlag über die Verwendung von Fluggastdatensätzen</i>	106
	12 May 11	<i>Entwurf eines Gesetzes zur Änderung telekommunikationsrechtlicher Regelungen</i>	108
	12 May 11	<i>Europäische Nachhaltigkeitsstrategie</i>	108
	12 May 11	<i>Gestaltung der zukünftigen europäischen Forschungsförderung der EU (2014–2020)</i>	108
	12 May 11	<i>Vereinbarte Debatte zum Hilfsantrag Portugals</i>	108
	13 May 11	<i>Arbeitnehmerfreizügigkeit sozial gestalten</i>	109
105	17 May 11	<i>Abkommen zwischen der Europäischen Gemeinschaft und ihren Mitgliedstaaten einerseits und der Republik Südafrika andererseits zur Änderung des Abkommens über Handel, Entwicklung und Zusammenarbeit</i>	
105	17 May 11	<i>die Errichtung einer europäischen Transferunion (im Zusammenhang mit der Schaffung eines Europäischen Stabilitätsmechanismus ("Euro- Rettungsschirm"))</i>	
105	17 May 11	<i>Rahmenabkommen zwischen der Europäischen Union und der Republik Korea</i>	
107	18 May 11	<i>Die Eurolüge - Genug gezahlt für marode Banken und bankrotte Euroländer!</i>	
107	18 May 11	<i>Entwicklung von Alternativszenarien zum Eurorettungsschirm</i>	
	26 May 11	<i>Den friedenspolitischen und krisenpräventiven Auftrag des Europäischen Auswärtigen Dienstes je</i>	111
	09 Jun 11	<i>Finanztransaktionsteuer in Europa einführen – Gesetzesinitiative jetzt vorlegen</i>	114
	10 Jun 11	<i>Stabilität der Euro-Zone sichern - Reformkurs in Griechenland vorantreiben</i>	115
109	15 Jun 11	<i>Zahlungsstopp jetzt – genug gezahlt für marode Banken und bankrotte Euroländer!</i>	
109	15 Jun 11	<i>Änderungen der Arbeitszeitrichtlinie</i>	
	01 Jul 11	<i>Zu den Legislativvorschlägen der Europäischen Kommission "Wirtschaftspolitische Steuerung in der EU</i>	118



112	<i>Maßnahmen zur Einführung einer Finanztransaktionssteuer</i>	06 Jul 11		
112	<i>Verfolgung von religiösen Minderheiten in Afghanistan und notwendigen Einsatz der EU für Minderheitenschutz</i>	06 Jul 11		
113	<i>EU-Erklärung Mag. Dr. Fekter: Europäischer Stabilitätsmechanismus ("Euro-Rettungsschirm") und die Folgen der Griechenland-Finanzkrise</i>	07 Jul 11		
		08 Sep 11	<i>Gesetzes zur Änderung des Gesetzes zur Übernahme von Gewährleistungen im Rahmen eines europäischen Stabilisierungsmechanismus</i>	124
118	<i>Genug gezahlt für EU-Pleitestaaaten, Banken und Spekulanten! Volksabstimmung jetzt!</i>	21 Sep 11	<i>Geordnete Insolvenz - Die Haltung der Bundesregierung</i>	126
118	<i>Korruptionsbekämpfung in der EU</i>	21 Sep 11		
		22 Sep 11	<i>Europäische Strategie zugunsten von Menschen mit Behinderungen 2010–2020</i>	127
		29 Sep 11	<i>Gesetzes zur Änderung des Gesetzes zur Übernahme von Gewährleistungen im Rahmen eines europäischen Stabilisierungsmechanismus</i>	130
124	<i>"EU-Informationsgesetz" und Geschäftsordnungsgesetz</i>	19 Oct 11	<i>Umsetzung der Abschiebungsrichtlinie der Europäischen Union und die Praxis der Abschiebungshaft</i>	
126	<i>"Veto jetzt, Herr Bundeskanzler!" (möglicher Schuldenerlass für Griechenland und Erhöhung des Volumens des Euro-"Rettungsschirms")</i>	20 Oct 11		
		26 Oct 11	<i>Regierungserklärung zum Europäischen Rat und zum Eurogipfel am 26. Oktober 2011 in Brüssel</i>	135
		27 Oct 11	<i>Entwurf eines Gesetzes zur Umsetzung des EuGH-Urteils (C-555/07)</i>	136
		27 Oct 11	<i>Für eine ambitionierte Effizienzstrategie der deutschen und europäischen Energieversorgung</i>	136
		27 Oct 11	<i>Netzneutralität im Internet gewährleisten</i>	136
128	<i>"Zukunftssicherungsschirm" für Österreich statt "Rettungsschirme" für EU-Pleitestaaaten und marode Banken</i>	28 Oct 11		
		10 Nov 11	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation "ALTHEA" zur weiteren Stabilisierung des Friedensprozesses in Bosnien und Herzegowina (...)</i>	139
		10 Nov 11	<i>Stagnation beim Bürokratieabbau überwinden – Neue Schwerpunktsetzung für den Mittelstand umsetzen</i>	139
		10 Nov 11	<i>Weißbuch Verkehr – Auf dem Weg zu einer nachhaltigen und bezahlbaren Mobilität</i>	139
		11 Nov 11	<i>Effektive Regulierung der Finanzmärkte nach der Finanzkrise</i>	140
		11 Nov 11	<i>Euratom-Vertrag ändern – Atomausstieg europaweit voranbringen – Atomprivileg beenden</i>	140
130	<i>Die besten Chancen für Europas Jugend - Beschäftigung als Schlüssel</i>	15 Nov 11		

	23 Nov 11	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias</i>	142
	24 Nov 11	<i>Der Mehrjährige Finanzrahmen der EU 2014–2020 – Ein strategischer Rahmen für nachhaltige und verantwortungsvolle Haushaltspolitik mit europäischem Mehrwert</i>	143
	01 Dec 11	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation "ALTHEA" zur weiteren Stabilisierung des Friedensprozesses in Bosnien und Herzegowina</i>	146
	01 Dec 11	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias</i>	146
	02 Dec 11	<i>Regierungserklärung zum Europäischen Rat am 9. Dezember 2011 in Brüssel</i>	147
139	14 Dec 11	<i>EU-Erklärungen Faymann und Dr. Spindelegger: Ergebnisse des Europäischen Rates am 9. Dezember 2011</i>	148
139	14 Dec 11	<i>"Die besten Chancen für Europas Jugend - Beschäftigung als Schlüssel"</i>	
139	14 Dec 11	<i>Beendigung der Vereinbarung über die Bereitstellung und den Betrieb von Flugsicherungseinrichtungen und –diensten durch EUROCONTROL</i>	
139	14 Dec 11	<i>EU-Informationsgesetz (EU-InfoG)</i>	
	15 Dec 11	<i>Entwurf eines ... Gesetzes zur Änderung des Bürgerlichen Gesetzbuchs (§ 622 Absatz 2 Satz 2 BGB)</i>	149
140	18 Jan 12	<i>Außen- und Europapolitischer Bericht 2010</i>	
140	18 Jan 12	<i>Was bedeutet die derzeitige Schuldenkrise für die Zukunft Europas?</i>	
	19 Jan 12	<i>Finanzmarktstabilisierungsgesetz</i>	152
	19 Jan 12	<i>Regierungserklärung zum Jahreswirtschaftsbericht 2012</i>	152
	09 Feb 12	<i>EU-Fiskalpakt - Auswirkung auf Demokratie und Sozialstaat</i>	158
	10 Feb 12	<i>Für einen Neubeginn der deutschen und europäischen Mittelmeerpolitik</i>	159
	27 Feb 12	<i>Regierungserklärung zu den Finanzhilfen für Griechenland und zum Europäischen Rat am 1./2. März 2012 in Brüssel</i>	160
144	29 Feb 12	<i>Europäische-Bürgerinitiative-Gesetz – EBIG</i>	
	01 Mar 12	<i>EU-Richtlinie zum Wertpapierhandel</i>	162
	01 Mar 12	<i>Hochqualifizierten-Richtlinie</i>	162
	02 Mar 12	<i>Gesetzes zur Änderung des Bürgerlichen Gesetzbuchs zum besseren Schutz der Verbraucherinnen und Verbraucher vor Kostenfallen im elektronischen Geschäftsverkehr</i>	163
	08 Mar 12	<i>Für eine Strategie zur europäischen Integration der Länder des westlichen</i>	165

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	09 Mar 12	<i>Arbeitsprogramm der Europäischen Kommission für das Jahr 2012</i>	166
	09 Mar 12	<i>Zur Situation von Roma in der Europäischen Union und in den (potentiellen) EU-Beitrittskandidatenstaaten</i>	166
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	29 Mar 12	<i>Europäische Finanzaufsicht stärken und effizient ausgestalten</i>	172
	29 Mar 12	<i>Gemeinsame Sicherheits- und Verteidigungspolitik (GSVP) weiterentwickeln und mitgestalten</i>	172
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	26 Apr 12	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias</i>	175
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155	15 May 12	<i>Nachhaltig investieren statt aus Europa einen Sparverein machen</i>	
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159	13 Jun 12	<i>Eurokrise</i>	
161	14 Jun 12	<i>Bundesgesetz über die Geschäftsordnung des Nationalrates (Geschäftsordnungsgesetz 1975) geändert wird (Mitwirkungsrechte des Nationalrates an der innerstaatlichen Willensbildung in Hinblick auf die laufende Tätigkeit des Europäischen Stabilitätsmechanismus)</i>	
	15 Jun 12	<i>Verbraucherschutz und Nachhaltigkeit im Wettbewerbsrecht verankern</i>	185

	27 Jun 12	<i>Regierungserklärung zum Europäischen Rat am 28./29. Juni 2012 in Brüssel</i>	186
	29 Jun 12	<i>Regierungserklärung zur Schaffung einer Stabilitätsunion</i>	188
	29 Jun 12	<i>Regierungserklärung zur Stabilitätsunion-Fiskalvertrag und ESM</i>	188
164	04 Jul 12	<i>Beschluss des Europäischen Rates vom 25. März 2011 zur Änderung des Art. 136 AEUV hinsichtlich eines Stabilitäts-mechanismus für die Mitgliedstaaten, deren Währung der Euro ist</i>	
164	04 Jul 12	<i>Bundesgesetz, mit dem das Bundes-Verfassungsgesetz und das Zahlungsbilanzstabilisierungsgesetz geändert werden (ESM-Begleitnovelle)</i>	
164	04 Jul 12	<i>Protokoll zu den Anliegen der irischen Bevölkerung bezüglich des Vertrags von Lissabon</i>	
164	04 Jul 12	<i>Gemeinsam Europas Zukunft gestalten - mit Beschäftigung, Wachstum und Stabilität</i>	
164	04 Jul 12	<i>Vertrag über Stabilität, Koordinierung und Steuerung in der Wirtschafts- und Währungsunion</i>	
164	04 Jul 12	<i>Vertrag zur Einrichtung des Europäischen Stabilitätsmechanismus</i>	
164	04 Jul 12	<i>Vertrag zwischen Mitgliedstaaten der Europäischen Union und der Republik Kroatien über den Beitritt der Republik Kroatien zur Europäischen Union</i>	
216	05 Jul 12	<i>Bundesgesetz über die justizielle Zusammenarbeit in Strafsachen mit den Mitgliedstaaten der Europäischen Union</i>	
	19 Jul 12	<i>Sicherung der Stabilität der Euro-Zone – Finanzhilfen für Spanien</i>	189
169	19 Sep 12	<i>Keine Schuldenunion ohne Volksabstimmung, Herr Bundeskanzler!</i>	
	26 Sep 12	<i>Ratifizierung des Vertrages vom 2. Februar 2012 zur Einrichtung des Europäischen Stabilitätsmechanismus</i>	194
	27 Sep 12	<i>Gesetzes zur Ausführung der Verordnung (EU) Nr. 236/2012 des Europäischen Parlaments und des Rates vom 14. März 2012 über Leerverkäufe und bestimmte Aspekte von Credit Default Swaps (EU-Leerverkaufs-Ausführungsgesetz)</i>	195
	18 Oct 12	<i>Achten Gesetzes zur Änderung des Gesetzes gegen Wettbewerbsbeschränkungen (8. GWB-ÄndG)</i>	198
	18 Oct 12	<i>Gesetzes zur Umsetzung der Richtlinie 2012/.../EU über den Zugang zur Tätigkeit von Kreditinstituten und die Beaufsichtigung von Kreditinstituten und Wertpapierfirmen und zur Anpassung des Aufsichtsrechts an die Verordnung (EU) Nr. .../2012 über die Aufsichtsanforderungen an Kreditinstitute und Wertpapierfirmen</i>	198

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	25 Oct 12	<i>Chancen nutzen – Vorsorgende Wirtschaftspolitik jetzt einleiten</i>	201
	09 Nov 12	<i>Gesetzes zur Umsetzung des EuGH-Urteils vom 20. Oktober 2011 in der Rechtssache C-284/09 (freier Kapitalverkehr)</i>	205
179	13 Nov 12	<i>Einleitung eines Vertragsverletzungsverfahrens wegen europarechtswidriger Temelin-UVP</i>	
179	13 Nov 12	<i>Nein zu höheren EU-Beiträgen mit Faymanns Zustimmung - Österreich hat genug gezahlt!</i>	
	29 Nov 12	<i>20 Jahre Zeichnung der Europäischen Charta der Regional- oder Minderheitensprachen</i>	211
	30 Nov 12	<i>Fortschritte beim Anpassungsprogramm für Griechenland</i>	212
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	17 Jan 13	<i>Ein neuer Anlauf zur Bändigung der Finanzmärkte – Für eine starke europäische Bankenunion zur Beendigung der Staatshaftung bei Banken Krisen</i>	217
217	17 Jan 13	<i>Jahreswirtschaftsbericht 2013 - Wettbewerbsfähigkeit - Schlüssel für Wachstum und Beschäftigung in Deutschland und Europa</i>	217
187	30 Jan 13	<i>Für ein Europa mit mehr Wachstum, Beschäftigung, Gerechtigkeit und Nachhaltigkeit"</i>	
187	30 Jan 13	<i>Genug gezockt: Strenges Verbot für Spekulationen mit Steuergeld jetzt!</i>	
187	30 Jan 13	<i>Schutz des heimischen Wassers</i>	
	31 Jan 13	<i>Keine Rüstungsexporte als Instrument der Außenpolitik – Exportverbot jetzt durchsetzen</i>	219
	31 Jan 13	<i>Unternehmerische Pflichten zur Offenlegung von Arbeits- und Umweltbedingungen auf europäischer Ebene einführen</i>	219
	01 Feb 13	<i>Gesetzes zu dem Vertrag vom 9. Dezember 2011 über den Beitritt der Republik Kroatien zur Europäischen Union</i>	220
190	19 Feb 13	<i>Ergebnisse des Europäischen Rates vom 7. und 8. Februar 2013</i>	
	21 Feb 13	<i>Regierungserklärung zu den Ergebnissen des Europäischen Rates am 7./8. Februar 2013 in Brüssel</i>	222
191	27 Feb 13	<i>Mitteilung der Kommission/ Jahreswachstumsbericht 2013</i>	

191	<i>Rahmenabkommen über umfassende Partnerschaft und Zusammenarbeit zwischen der Europäischen Union und der Sozialistischen Republik Vietnam</i>	27 Feb 13		
		28 Feb 13	<i>Die Energiewende – Kosten für Verbraucherinnen, Verbraucher und Unternehmen</i>	225
		28 Feb 13	<i>Keine Privatisierung der Wasserversorgung durch die Hintertür</i>	225
		13 Mar 13	<i>Verhalten von SPD und BÜNDNIS 90/DIE GRÜNEN im Bundesrat beim Fiskalpakt</i>	227
		14 Mar 13	<i>Standpunkt der Bundesregierung zu den beschlossenen Verfassungsänderungen in Ungarn im Hinblick auf die Einhaltung europäischer Grundwerte</i>	228
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		15 Mar 13	<i>Finanzstabilität sichern – Regulierung systemrelevanter Finanzinstitute und des internationalen Schattenbanksystems</i>	229
193	<i>EU – Polizeikooperationsgesetz (EU-PolKG) und BG über die Einrichtung und Organisation des Bundesamts zur Korruptionsprävention und Korruptionsbekämpfung</i>	20 Mar 13		
		21 Mar 13	<i>Gesetz zu dem Handelsübereinkommen vom 26. Juni 2012 zw EU und Peru und Kolumbien</i>	231
		21 Mar 13	<i>Sicherheit der Sparguthaben in Europa</i>	231
		22 Mar 13	<i>Gesetzes über die Zusammenarbeit von Bundesregierung und Deutschem Bundestag in Angelegenheiten der Europäischen Union (EUZBBG)</i>	232
		22 Mar 13	<i>Soziale Arbeitsbedingungen in der maritimen Wirtschaft fördern – Flaggenflucht verhindern</i>	232
		18 Apr 13	<i>Sicherung der Stabilität der Euro-Zone - Finanzhilfe für Zypern</i>	234
198	<i>Ermächtigung der österreichischen Vertreterin oder des österreichischen Vertreters im Europäischen Stabilitätsmechanismus (ESM) gemäß Art. 50b Z 1 B-VG</i>	22 Apr 13		
199	<i>ESM-Erklärung Mag. Dr. Fekter: Gewährung von Finanzhilfe an die Republik Zypern</i>	25 Apr 13	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias</i>	237
		25 Apr 13	<i>Gesetzes zu dem Abkommen vom 29. Juni 2012 zur Gründung einer Assoziation zwischen der Europäischen Union und ihren Mitgliedstaaten einerseits und Zentralamerika andererseits</i>	237
		16 May 13	<i>Fortsetzung der Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation Atalanta zur Bekämpfung der Piraterie vor der Küste Somalias</i>	240
		16 May 13	<i>Gesetzes zu dem Vertrag vom 9. Dezember 2011 über den Beitritt der Republik Kroatien zur Europäischen Union</i>	240

		17 May 13	<i>Gesetzes zum Vorschlag für eine Verordnung des Rates zur Übertragung besonderer Aufgaben im Zusammenhang mit der Aufsicht über Kreditinstitute auf die Europäische Zentralbank</i>	241
203	<i>Die Herausforderungen an den Wirtschaftsstandort Europa und Österreich</i>	22 May 13		
		12 Jun 13	<i>Aktuelle Situation in der Türkei</i>	245
207	<i>Entschließung 1487/2007 des slowakischen Nationalrats über die Unangreifbarkeit der Beneš-Dekrete</i>	13 Jun 13	<i>Gesetzes zum Vorschlag für eine Verordnung des Rates zur Übertragung besonderer Aufgaben im Zusammenhang mit der Aufsicht über Kreditinstitute auf die Europäische Zentralbank</i>	246
		14 Jun 13	<i>Zu der Empfehlung für einen Beschluss des Rates über die Ermächtigung zur Aufnahme von Verhandlungen über ein umfassendes Handels- und Investitionsabkommen, transatlantische Handels- und Investitionspartnerschaft genannt, zwischen der Europäischen Union und den Vereinigten Staaten von Amerika</i>	247
		27 Jun 13	<i>Regierungserklärung zu den Ergebnissen des G-8-Gipfels und zum Europäischen Rat am 27./28. Juni 2013 in Brüssel</i>	250
213	<i>Abkommen mit der Europäischen Agentur für das Betriebsmanagement von IT-Großsystemen über den Sitz des Back-up-Systems der Agentur</i>	03 Jul 13		

## Appendix VI – Results of the frame analysis

Table 19 shows the share of weighted frames for each party group organized by topic and indicating the expected dimension of framing.

		SPÖ	ÖVP	Grüne	BZÖ	FPÖ	CDU	FDP	SPD	90/Grünen	Linke	SUM
		%	%	%	%	%	%	%	%	%	%	%
Collective interest												
TAN	National interest	2.6	3.0	0.0	23.8	26.9	2.2	2.5	1.1	0.0	0.0	7.0
GAL	EU interest	1.6	1.3	3.3	0.0	0.0	1.5	2.5	3.3	4.3	0.0	1.5
Sovereignty												
TAN	Protect Sovereignty	0.6	0.0	0.0	3.7	14.1	0.7	0.0	2.2	0.0	2.4	2.5
TAN	Protect nat'l democracy	0.6	0.0	0.9	1.8	8.5	0.6	1.2	8.3	2.2	4.9	2.5
GAL	European idea	7.3	7.6	3.3	2.6	0.4	7.4	6.8	6.7	8.6	6.1	5.6
The EU Polity												
TAN	Core Europe	0.0	0.0	0.0	4.8	4.6	0.4	0.0	0.0	0.0	0.0	1.1
TAN	Intergovernmental	2.6	1.6	0.0	2.9	1.4	2.8	1.9	0.0	0.0	0.0	1.7
GAL	More EU	14.1	19.1	14.6	2.9	0.0	16.1	9.3	12.8	9.7	1.2	11.0
GAL	Supranational	0.6	2.3	5.6	0.0	0.0	0.4	5.0	1.1	4.3	0.0	1.5
Cross-border transfer												
TAN	No transfer	0.0	0.0	0.0	13.2	23.0	2.2	1.9	1.1	0.0	0.0	4.7
GAL	Transfer	7.3	6.3	11.3	0.4	0.7	6.1	4.3	1.7	12.9	4.9	5.2
Socio-economic goals of EU integration												
left	Social Europe	16.0	2.3	14.1	1.1	0.0	3.3	0.0	15.6	14.0	3.0	6.1
right	Economic Prosperity	9.3	14.5	2.3	0.7	0.4	4.6	2.5	2.2	2.2	0.0	4.6
right	Global Competition	4.8	3.6	1.4	2.2	0.0	5.4	6.2	1.7	0.0	0.6	3.1
Budget Policy												
left	Reduce imbalances	0.0	0.0	3.3	0.0	0.0	0.0	0.0	5.0	2.2	4.9	1.0
left	Anti-austerity	0.6	0.0	17.4	0.4	0.0	0.0	0.0	11.1	25.8	16.5	4.4
right	Economic Orthodoxy	5.8	23.7	1.4	12.1	3.5	22.6	29.2	2.2	3.2	0.0	12.4



right	Accept imbalances	0.0	2.3	0.0	0.0	0.0	1.7	4.3	0.0	0.0	0.0	0.9
Roots of the crisis												
left	Social Injustice	8.9	0.0	3.3	11.4	6.7	0.9	2.5	5.6	7.5	19.5	5.7
right	Conditionality	0.0	3.0	8.9	4.8	3.9	9.3	4.3	1.1	1.1	1.2	4.5
Role of the state												
left	Regulation	8.3	0.7	4.2	4.0	0.7	3.0	1.2	11.7	0.0	12.8	4.4
right	Deregulation/ Efficiency	0.6	5.9	0.0	4.4	0.4	3.0	2.5	0.0	0.0	1.2	2.2
Goals of economic policy												
left	Social protection	8.3	0.7	3.8	2.2	4.9	1.7	1.2	5.6	2.2	20.7	4.5
right	Incentives	0.0	2.3	0.9	0.7	0.0	4.3	10.6	0.0	0.0	0.0	2.0
	Left-right	21.7	51.6	24.4	5.9	4.2	41.9	54.7	37.2	40.9	64.6	
	TAN-GAL	24.6	31.9	37.1	44.3	77.4	22.6	20.5	12.8	37.6	4.9	
	SUM	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Table 20: Share of weighted codings per party group and frame.

## Bibliography

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- Abedi, Amir (2002): Challenges to established parties: The effects of party system features on the electoral fortunes of anti-political-establishment parties, in: *European Journal of Political Research* 41(4): 551-583.
- Abromeit, Heidrun (1995): Volkssouveränität, Parlamentsouveränität, Verfassungssouveränität: Drei Realmodelle der Legitimation staatlichen Handelns, in: *Politische Vierteljahresschrift* 36(1): 49-66.
- Adams, James, Michael Clark, Lawrence Ezrow and Garrett Glasgow (2006): Are Niche Parties Fundamentally Different from Mainstream Parties? The Causes and the Electoral Consequences of Western European Parties' Policy Shifts, 1976-1998, in: *American Journal of Political Science* 50(3): 513-329.
- Agresti, Alan and Barbara Finlay (2014): *Statistical Methods for the Social Sciences*. Essex, Pearson.
- Aichholzer, Julian, Sylvia Kritzinger, Markus Wagner and Eva Zeglovits (2014): How has Radical Right Support Transformed Established Political Conflicts? The Case of Austria, in: *West European Politics* 37(1): 113-137.
- Andeweg, Rudy (2013): *Parties in Parliament: The Blurring of Opposition, Party Governance and Party Democracy*, Springer: 99-114.
- Andeweg, Rudy, Lieven de Winter and Wolfgang C. Müller (2008): Parliamentary Opposition in Post-Consociational Democracies: Austria, Belgium and the Netherlands, in: *The Journal of Legislative Studies* 14(1/2): 77-112.
- Armingeon, Klaus, Kai Guthmann and David Weisstanner (2015): Wie der Euro Europa spaltet. Die Krise der gemeinsamen Währung und die Entfremdung von der Demokratie in der Europäischen Union, in: *Politische Vierteljahresschrift* 56(3): 506-531.
- Arter, David (2003): Committee Cohesion and the 'Corporate Dimension' of Parliamentary Committees: A Comparative Analysis, in: *The Journal of Legislative Studies* 9(4): 73-87.
- Aspinwall, Mark and Gerald Schneider (2000): Same menu, separate tables: The institutionalist turn in political science and the study of European integration, in: *European Journal of Political Research* 38: 1-36.
- Auel, Katrin (2006): The Europeanisation of the German Bundestag: Institutional Change and Informal Adaptation, in: *German Politics* 15(3): 249-268.
- Auel, Katrin (2007): Democratic Accountability and National Parliaments: Redefining the Impact of Parliamentary Scrutiny in EU Affairs, in: *European Law Journal* 13(4): 487-504.
- Auel, Katrin (2015). We need to talk about Europe: How Parliaments Communicate EU Affairs to their Citizens. *Ö. G. f. Europapolitik*. 33a.
- Auel, Katrin and Arthur Benz (2005): The politics of adaptation: The Europeanisation of national parliamentary systems, in: *The Journal of Legislative Studies* 11(3-4): 372-393.
- Auel, Katrin and Thomas Christiansen (2015): After Lisbon: National Parliaments in the European Union, in: *West European Politics* 38(2): 261-281.
- Auel, Katrin and Tapio Raunio (2012): Introduction: National Parliaments, Electorates and EU affairs, in: K. Auel and T. Raunio, Eds.: *National Parliaments, Electorates and EU Affairs*. Vienna, Institut für Höhere Studien: 7-28.

- Auel, Katrin and Tapio Raunio (2014a): Debating the State of the Union? Comparing Parliamentary Debates on EU Issues in Finland, France, Germany and the United Kingdom, in: *The Journal of Legislative Studies* 20(1): 13-28.
- Auel, Katrin and Tapio Raunio (2014b): Introduction: Connecting with the Electorate? Parliamentary Communication in EU Affairs, in: *The Journal of Legislative Studies* 20(1): 1-12.
- Auel, Katrin, Olivier Rozenberg and Angela Tacea (2015a): Fighting Back? And, if so, how? Measuring Parliamentary Strength and Activity in EU Affairs, *The Palgrave Handbook of National Parliaments and the European Union*. Basingstoke, Palgrave Macmillan: 60-93.
- Auel, Katrin, Olivier Rozenberg and Angela Tacea (2015b): To Scrutinise or Not to Scrutinise? Explaining Variation in EU-Related Activities in National Parliaments, in: *West European Politics* 38(2): 282-304.
- Bächtiger, André (2014): Debate and Deliberation in Legislatures, in: S. Martin, T. Saalfeld and K. Strom, Eds.: *The Oxford Handbook of Legislative Studies*. Oxford, UK, Oxford University Press.
- Bakker, Ryan, Catherine de Vries, Erica Edwards, Liesbet Hooghe, Seth Jolly, Gary Marks, Jonathan Polk, Jan Rovny, Marco Steenbergen and Milada Anna Vachudova (2015): Measuring party positions in Europe: The Chapel Hill expert survey trend file, 1999-2010, in: *Party Politics* 21(1): 143-152.
- Bakker, Ryan, Seth Jolly, Jonathan Polk and Keith Poole (2014): The European Common Space: Extending the Use of Anchoring Vignettes, in: *The Journal of Politics* 76(4): 1089-1101.
- Banchoff, Thomas and Mitchell Smith (1999): Introduction: conceptualizing legitimacy in a contested polity, in: T. Banchoff and M. Smith, Eds.: *Legitimacy and the European Union – the contested polity*. London, New York, Routledge: 1-23.
- Barrett, Gavin, Ed. (2008): *National Parliaments and the European Union: The Constitutional Challenge for the Oireachtas and Other Member State Legislatures*. Dublin, Clarus Press.
- Bartolini, Stefan and Peter Mair (1990): *Identity, competition, and electoral availability. The stabilization of European electorates 1885-1985*. Cambridge, New York, Cambridge University Press.
- Bellamy, Richard (2010): Democracy without democracy? Can the EU's democratic 'outputs' be separated from the democratic 'inputs' provided by competitive parties and majority rule?, in: *Journal of European Public Policy* 17(1): 2-19.
- Benoit, Kenneth and Michael Laver (2006): *Party policy in modern democracies*. Oxon, Routledge.
- Bergman, Torbjörn (1997): National Parliaments and EU Affairs Committees: Notes on Empirical Variation and Competing Explanations, in: *Journal of European Public Policy* 4(3): 373-387.
- Bergman, Torbjörn (2000): The European Union as the next step of delegation and accountability, in: *European Journal of Political Research* 37: 415-429.
- Bergman, Torbjörn, Wolfgang C. Müller and Kaare Strøm (2000): Introduction: Parliamentary democracy and the chain of delegation, in: *European Journal of Political Research* 37(3): 255-260.
- Blondel, Jean (1997): Political Opposition in the Contemporary World, in: *Government and Opposition* 32(4): 462-486.
- Blyth, Mark (2003): Structures Do Not Come with an Instruction Sheet: Interests, Ideas, and Progress in Political Science, in: *Perspectives on Politics* 1(4): 695-706.
- Bolleyer, Nicole (2008a): New Parties in Government: Party Organisation and the Costs of Public Office, in: *West European Politics* 35(5): 971-998.

- Bolleyer, Nicole (2008b): The organizational costs of public office, in: K. Deschouwer, Ed. *New Parties in Government. In power for the first time.* Oxon/ New York, Routledge.
- Bornschieer, Simon (2009): *Cleavage Politics and the Populist Right. The New Cultural Conflict in Western Europe.* Philadelphia, Temple University Press.
- Börzel, Tanja and Thomas Risse (2009). *The Rise of (Inter-) Regionalism: The EU as a Model of Regional Integration.* APSA 2009 Toronto Meeting Paper. Toronto.
- BPB, Bundeszentrale für Politische Bildung (2016): "Parteien in Deutschland." from <http://www.bpb.de/politik/grundfragen/parteien-in-deutschland/42058/kurz-und-buendig>.
- Brack, Nathalie and Sharon Weinblum (2009). What do we mean by "political opposition": a theoretical perspective. ECPR.
- Brack, Nathalie and Sharon Weinblum (2011): "Political Opposition": Towards a Renewed Research Agenda, in: *Interdisciplinary Political Studies* 1(1): 69-79.
- Bräuninger, Thomas and Marc Debus (2009): Legislative agenda-setting in parliamentary democracies, in: *European Journal of Political Research* 48: 804-839.
- Budge, Ian (1994): A New Spatial Theory of Party Competition: Uncertainty, Ideology and Policy Equilibria Viewed Comparatively and Temporally, in: *British Journal of Political Science* 24(4): 443-467.
- Budge, Ian and Dennis Farlie (1983): Party competition: Selective emphasis or direct confrontation? An alternative view with data, in: H. Daalder and P. Mair, Eds.: *Western European party systems: Continuity and change.* Beverly Hills, London, Sage Publications: 267-305.
- Budge, Ian and Michael Laver (1986): Office Seeking and Policy Pursuit in Coalition Theory, in: *Legislative Studies Quarterly* 11(4): 485-506.
- Bundestag (2017): "Committees of the 17th legislative period." from <http://webarchiv.bundestag.de/cgi/show.php?fileToLoad=2951&id=1223>.
- Bundestag, Deutscher (2016): "Ständige Ausschüsse, 17. WP." from <http://webarchiv.bundestag.de/cgi/show.php?fileToLoad=2921&id=1223>.
- Bundestages, Deutscher (2016): "Datenhandbuch." from <http://www.bundestag.de/dokumente/datenhandbuch/10>.
- Bundesverfassungsgericht (2009): "Urteil des Zweiten Senats vom 30. Juni 2009 – 2 BvE 2/08 – Rn. (1-421)." from [http://www.bverfg.de/e/es20090630\\_2bve000208.html](http://www.bverfg.de/e/es20090630_2bve000208.html).
- Burke, Edmund (1790): *Reflections on the revolution in France: And on the proceedings in certain societies in London relative to that event.* London, Pall-Mall.
- Checkel, Jeffrey (2006): Constructivist Approaches to European Integration, in: K. E. Jørgensen, M. Pollack and B. Rosamond, Eds.: *Handbook of European Union Politics.* London, Sage Publications: 57-76.
- CHES (2016): "Chapel Hill Expert Survey 1999 to 2014." from <http://chesdata.eu/>.
- Chong, Dennis and James Druckman (2007): Framing Theory, in: *Annual Review of Political Science* 10: 103-126.
- Christiansen, Flemming Juul and Henrik Bech Seeberg (2016): Cooperation between counterparts in parliament from an agenda-setting perspective: legislative coalitions as a trade of criticism and policy, in: *West European Politics online first.*
- Closa, Carlos and Aleksandra Maatsch (2014): In a Spirit of Solidarity? Justifying the European Financial Stability Facility (EFSF) in National Parliamentary Debates, in: *Journal of Common Market Studies* 52(4): 826-842.
- CMP (2016): "Manifesto Project Main Dataset." from <https://manifestoproject.wzb.eu/datasets>.
- Coleman, James (1990): *Foundations of Social Theory.* Cambridge, MA, The Belknap Press of Harvard University Press.

- Collier, David (1993): *The Comparative Method*, in: A. Finifter, Ed. *Political Science: The State of the Discipline II*. Washington, D.C., American Political Science Association: 105-119.
- Conti, Nicolò, and Vincenzo Memoli (2012): *The multi-faceted nature of party-based Euroscepticism* in: *Acta Politica*, 47 (2), 91-112.
- Cooper, Ian (2006): *The Watchdogs of Subsidiarity: National Parliaments and the Logic of Arguing in the EU*, in: *Journal of Common Market Studies* 44(2): 281-304.
- Council, European (2011). *BESCHLUSS DES EUROPÄISCHEN RATES vom 25. März 2011 zur Änderung des Artikels 136 des Vertrags über die Arbeitsweise der Europäischen Union hinsichtlich eines Stabilitätsmechanismus für die Mitgliedstaaten, deren Währung der Euro ist* 2011/199/EU.
- Crespy, Amandine, and Sabine Saurugger (2016): *Resistance to Policy Change in the European Union. An actor-centred analytical framework*. Available from <https://halshs.archives-ouvertes.fr/halshs-01327764>.
- Crum, Ben (2003). "Throwing the Rascals Out". *The European Convention and the prospects for representative democracy*. CIDEL Conference. Albarracin.
- Crum, Ben (2013): *Saving the Euro at the Cost of Democracy?*, in: *Journal of Common Market Studies* 51(4): 614-630.
- Crum, Ben and John Erik Fossum (2009): *The Multilevel Parliamentary Field: A Framework for Theorizing Representative Democracy in the EU*, in: *European Political Science Review* 1(2): 249-271.
- Curini, Luigi and Francesco Zucchini (2015): *Legislative Committees as Uncertainty Reduction Devices in Multiparty Parliamentary Democracies*, in: *West European Politics* 38(5): 1042-1061.
- Dahl, Robert (1965): *Reflections on Opposition in Western Democracies*, in: *Government and Opposition* 1(1): 7-24.
- Dahl, Robert (1966): *Patterns of Opposition*, in: R. Dahl, Ed. *Political Oppositions in Western Democracies*. New Haven and London, Yale University Press: 332-347.
- Dahl, Robert (1971): *Polyarchy: Participation and Opposition*. New Haven and London, Yale University Press.
- Dahl, Robert, Ed. (1973): *Regimes and Oppositions*. London, New Haven.
- Dahl, Robert (1998): *On Democracy*. New Haven, London, Yale University Press.
- Damgaard, Erik and Ingvar Mattson (2004): *Conflict and Consensus in Committees*, in: H. Döring and M. Hallerberg, Eds.: *Patterns of Parliamentary Behavior. Passage of Legislation Across Western Europe*, Ashgate: 113-140.
- Daviter, Falk (2007): *Policy Framing in the European Union*, in: *Journal of European Public Policy* 14(4): 654-666.
- de Giorgi, Elisabetta (2007). *Parliamentary Opposition in Western European Democracies Today: Systemic or Issue-Oriented? A Comparative Study of Two Parliamentary Systems*. ECPR Joint Sessions. Helsinki.
- de Giorgi, Elisabetta (2015): *Government laws and the opposition parties' behaviour in parliament*, in: *Acta Politica* 50(1): 64-81.
- de Giorgi, Elisabetta and Francesco Marangoni (2011). *The Italian parliamentary opposition in the alternation era: How consensual, and why?* Annual Conference of the Italian Political Science Association. Palermo.
- de Ruyter, Rik (2013): *Under the radar? National parliaments and the ordinary legislative procedure in the European Union*, in: *Journal of European Public Policy*.
- de Vries, Catherine (2007): *Sleeping Giant: Fact or Fairytale? How European Integration Affects National Elections*, in: *European Union Politics* 8(3): 363-385.

- de Vries, Catherine and Sara Hobolt (2012): When dimensions collide: The electoral success of issue entrepreneurs, in: *European Union Politics* 13(2): 246-268.
- de Wilde, Pieter (2011): No Polity for Old Politics? A Framework for Analyzing the Politicization of European Integration, in: *Journal of European Integration* 33(5): 559-575.
- de Wilde, Pieter (2014): Politicisation of the EU Budget: Conflict and the Constraining Dissensus, in: *West European Politics* 35(5): 1075-1094.
- Dolezal, Martin (2008a): Austria: Transformation Driven by an Established Party, in: Hanspeter and E. G. Kriesi, Romain Lachat, Martin Dolezal, Simon Bornschier and Timotheos Frey, Eds.: *West European Politics in the Age of Globalization*. Cambridge, Cambridge University Press: 105-129.
- Dolezal, Martin (2008b): Germany: The dog that didn't bark, in: E. G. Kriesi, Romain Lachat, Martin Dolezal, Simon Bornschier and Timotheos Frey, Eds.: *West European Politics in the Age of Globalization*. Cambridge, Cambridge University Press: 208-234.
- Dolezal, Martin (2016): The Greens in Austria and Switzerland: Two successful opposition parties, in: E. v. Haute, Ed. *Green Parties in Europe*. London and New York, Routledge: 15-41.
- Döring, Herbert (1995): Time as a Scarce Resource: Government Control of the Agenda, in: H. Döring, Ed. *Parliaments and Majority Rule in Western Europe*: 223-246.
- Döring, Herbert (2001): Parliamentary Agenda Control and Legislative Outcomes in Western Europe, in: *Legislative Studies Quarterly* 26: 145-166.
- Downs, Anthony (1957): *An Economic Theory of Democracy*. New York, Harper & Row.
- Dumont, Patrick and Hanna Bäck (2006): Why so few, and why so late? Green parties and the question of governmental participation, in: *European Journal of Political Communication* 45(1): 35-67.
- Dumont, Patrick and Jean-Francois Caulier (2003): The "effective number of relevant parties": How Voting Power Improves Laakso-Taagepera's Index.
- Elster, Jon (2016 (1983)): *Sour Grapes*. Cambridge, Cambridge University Press.
- Entman, Robert (1993): Framing: Toward Clarification of a Fractured Paradigm, in: *Journal of Communication* 43(4): 51-58.
- Eriksen, Erik and John Erik Fossum, Eds. (2000): *Democracy in the European Union. Integration through deliberation?* London and New York, Routledge.
- Eriksen, Erik Oddvar (2005): An Emerging European Public Sphere, in: *European Journal of Social Theory* 8(3): 341-363.
- Eriksson, Lina (2011): *Rational Choice Theory. Potential and Limits*. Basingstoke, Hampshire, Palgrave Macmillan.
- Fallend, Franz (2006): Bund-Länder-Beziehungen, in: H. Dachs and e. al., Eds.: *Politik in Österreich. Das Handbuch*. Wien, Manz: 1024-1050.
- Faure, Andrew Murray (1994): Some Methodological Problems in Comparative Politics, in: *Journal of Theoretical Politics* 6(3): 307-322.
- Finke, Daniel (2014): Domestic-level Parliamentary Scrutiny and Voting Behaviour in the European Parliament, in: *Government and Opposition* 49(2): 207-231.
- Finke, Daniel and Tanja Dannwolf (2013): Domestic scrutiny for European Union politics: Between whistle blowing and opposition control, in: *European Journal of Political Research* 52(6): 715-746.
- Finke, Daniel and Annika Herbel (2015): Beyond rules and resources: Parliamentary scrutiny of EU policy proposals, in: *European Union Politics* 16(4): 490-513.
- Fischer, Frank and John Forester (1993): *The Argumentative Turn in Policy Analysis and Planning*. Durham and London, Duke University Press.

- Flanagan, Scott and Aie-Rie Lee (2003): The New Politics, Culture Wars, and The Authoritarian-libertarian value change in advanced industrial democracies, in: *Comparative Political Studies* 36(3): 235-270.
- Føllesdal, Andreas and Simon Hix (2006): Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik, in: *Journal of Common Market Studies* 44(3): 533–562.
- Fossum, John Erik (2016). Democracy and Legitimacy in the EU. Challenges and Options. ARENA Working Paper 1/2016.
- Franzmann, Simon and André Kaiser (2006): Locating Political Parties in Policy Space. A Reanalysis of Party Manifesto Data, in: *Party Politics* 12(2): 163-188.
- Frieden, Jeffry (1999): Actors and Preferences in International Relations, in: D. Lake and R. Powell, Eds.: *Strategic Choice and International Relations*. Princeton, NJ, Princeton University Press: 39-76.
- Fukuyama, Francis (2006): *The End of History and the Last Man*. New York, Free Press.
- Gabel, Matthew (1998): The Endurance of Supranational Governance. A Consociational Interpretation of the European Union, in: *Comparative Politics* 30(4): 463-475.
- Gallagher, Michael (1991): Proportionality, Disproportionality and Electoral Systems, in: *Electoral Studies* 10(1): 33-51.
- Gallagher, Michael and Paul Mitchell (2008): *The Politics of Electoral Systems*. Oxford, Oxford University Press.
- Gattermann, Katjana and Claudia Hefftlar (2015): Beyond Institutional Capacity: Political Motivation and Parliamentary Behaviour in the Early Warning System, in: *West European Politics* 38(2): 305-334.
- Gattermann, Katjana, Anna-Lena Högenauer and Ariella Huff (2015): Research note: Studying a New Phase of Europeanisation of National Parliaments, in: *European Political Science* 15(1): 89-107.
- Gerring, John (1997): Ideology: A Definitional Analysis, in: *Political Research Quarterly* 50(4): 957-994.
- Goetz, Klaus and Jan-Hinrik Meyer-Sahling (2008): The Europeanisation of national political systems: Parliaments and executives, in: *Living Reviews in European Governance* 3(2): 1-22.
- Goffman, Erving (1974): *Frame analysis*. New York, Free Press.
- Grant, Ruth and Robert Keohane (2005): Accountability and Abuses of Power in World Politics, in: *American Political Science Review* 99(1): 29-43.
- Green-Pedersen, Christoffer (2007): The Growing Importance of Issue Competition: The Changing Nature of Party Competition in Western Europe, in: *Political Studies* 55(3): 607-628.
- Green-Pedersen, Christoffer (2010): Bringing Parties into Parliament. The Development of Parliamentary Activities in Western Europe, in: *Party Politics* 16(3): 347-369.
- Groen, Afke and Thomas Christiansen (2015): National parliaments in the European Union: Conceptual choices in the EU's constitutional debate, in: C. N. Claudia Hefftlar, Olivier Rozenberg and Julie Smith Ed. *Palgrave Handbook of National Parliaments and the European Union*, Palgrae Macmillan.
- Grünen, Die (2001): "Grundsatzprogramm der Grünen." from <https://www.gruene.at/partei/programm/parteiprogramm>.
- Guinaudeau, Isabelle and Simon Persico (2013): EU politicization through the lens of salience: How the EU enters the French, British and German electoral agenda (1986-2009), in: *French Politics* 11(2): 143-168.
- Habermas, Jürgen (1993): *Justification and application: Remarks on discourse ethics*. Cambridge, Polity Press.

- Hall, Peter A. (1986): *Governing the Economy: The Politics of State Intervention in Britain and France*. Oxford, Oxford University Press.
- Hall, Peter A. and Rosemary Taylor (1996): Political Science and the Three New Institutionalisms, in: *Political Studies* 44: 936-957.
- Hassing Nielsen, Julie and Mark Franklin, Eds. (2017): *The Eurosceptic 2014 European Parliament Elections. Second Order or Second Rate?* Basingstoke, Palgrave Macmillan.
- Hayes-Renshaw, Fiona and Helen Wallace (2006): *The Council of Ministers*. Basingstoke, Palgrave Macmillan.
- Hedström, Peter and Richard Swedberg (1996): Rational Choice, Empirical Research, and the Sociological Tradition, in: *European Sociological Review* 12(2): 127-146.
- Hefftlar, Claudia (2015). An ever closer inter-parliamentary network? National parliaments' priorities in inter-parliamentary cooperation in the EU. EUSA Conference. Boston.
- Hefftlar, Claudia and Katjana Gattermann (2015): Interparliamentary Cooperation in the European Union: Patterns, Problems and Potential, in: C. Hefftlar, C. Neuhold, O. Rozenberg and J. Smith, Eds.: *The Palgrave Handbook of National Parliaments and the European Union*. Basingstoke, Palgrave Macmillan.
- Hefftlar, Claudia, Christine Neuhold, Olivier Rozenberg and Julie Smith, Eds. (2015): *The Palgrave Handbook of National Parliaments and the European Union*. Basingstoke, Palgrave MacMillan.
- Hegeland, Hans and Christine Neuhold (2002): Parliamentary participation in EU Affairs in Austria, Finland and Sweden. Newcomers with different approaches, in: *European Integration online Papers* 6(10): 1-29.
- Heinisch, Reinhard (2004): Die FPÖ – ein Phänomen im internationalen Vergleich. Erfolg und Misserfolg des Identitären Rechtspopulismus, in: *Österreichische Zeitschrift für Politikwissenschaft* 33(3): 247-261.
- Helbling, Marc, Dominic Hoeglinger and Bruno Wüest (2010): How political parties frame European integration, in: *European Journal of Political Research* 49: 496-521.
- Helms, Ludger (1997): *Wettbewerb und Kooperation. Zum Verhältnis von Regierungsmehrheit und Opposition im parlamentarischen Gesetzgebungsverfahren in der Bundesrepublik Deutschland, Großbritannien und Österreich*. Opladen, Westdeutscher Verlag.
- Helms, Ludger (2002): *Politische Opposition: Theorie und Praxis in westlichen Regierungssystemen*, Leske + Budrich.
- Helms, Ludger (2008a): Parliamentary Opposition and its Alternatives in a Transnational Regime: The European Union in Perspective, in: *The Journal of Legislative Studies* 14(1/2): 212-235.
- Helms, Ludger (2008b): Studying Parliamentary Opposition in Old and New Democracies: Issues and Perspectives, in: *The Journal of Legislative Studies* 14(1/2): 6-19.
- Helms, Ludger (2010): Strategie und politische Opposition, in: Oberreuter, Ed. *Strategie in der Politikwissenschaft??*
- Heritier, Adrienne (1999): Elements of democratic legitimation in Europe: an alternative perspective, in: *Journal of European Public Policy* 6(2): 269-282.
- Hino, Airo (2012): *New challenger parties in Western Europe: A comparative analysis*. Abington, New York, Routledge.
- Hix, Simon (2001): Legislative Behaviour and Party Competition in the European Parliament: An Application of Nominate to the EU, in: *Journal of Common Market Studies* 39(4): 663-688.
- Hix, Simon (2008): Towards a partisan theory of EU politics, in: *Journal of European Public Policy* 15(8): 1254-1265.



- Hix, Simon (2010): Party politics in the European Union, in: H. Enderlein, S. Wälti and M. Zürn, Eds.: Handbook on multi-level governance, Edward Elgar Publishing: 227-238.
- Hix, Simon, Abdul Noury and Gérard Roland (2006): Dimensions of Politics in the European Parliament, in: American Journal of Political Science 50(2): 494-520.
- Hix, Simon and Tapio Raunio (2000): Backbenchers learn to fight back: European integration and parliamentary government, in: West European Politics 23(4): 142-168.
- Hobolt, Sara and James Tilley (2016): Fleeing the centre: the rise of challenger partis in the aftermath of the euro crisis, in: West European Politics 39(5): 971-991.
- Högenauer, Anna-Lena and Thomas Christiansen (2015): Parliamentary Administration in the Scrutiny of EU Decision-Making, in: C. Heffler, C. Neuhold, O. Rozenberg and J. Smith, Eds.: The Palgrave Handbook of National Parliaments and the European Union: 116-132.
- Högenauer, Anna-Lena and Christine Neuhold (2015): National Parliaments after Lisbon: Administrations on the Rise?, in: West European Politics 38(2): 335-354.
- Höing, Oliver (2012): "OPAL Country Reports: The German Parliament and EU Affairs." from <http://www.pademia.eu/publications/opal-country-reports/>.
- Höing, Oliver (2015a): With a little help of the constitutional court: The Bundestag on its way to an active policy shaper, in: C. Heffler, C. Neuhold, O. Rozenberg and J. Smith, Eds.: The Palgrave Handbook of National Parliaments and the European Union. Basingstoke, Palgrave Macmillan.
- Höing, Oliver (2015b). Asymmetric Influence: National Parliaments in the European Stability Mechanism. Wirtschafts- und Sozialwissenschaftlichen Fakultät. Cologne, University of Cologne. Doctoral.
- Höing, Oliver and Johannes Müller Gómez (2014): Towards the German model? Spitzenkandidaten and European Elections 2014, in: L'Europe en formation 3: 45 - 65.
- Holzacker, Ronald (2002): National Parliamentary Scrutiny Over EU Issues Comparing the Goals and Methods of Governing and Opposition Parties, in: European Union Politics 3(4): 459-479.
- Holzacker, Ronald (2005): The Power of Opposition Parliamentary Party Groups in European Scrutiny, in: The Journal of Legislative Studies 11(3/4): 428-445.
- Hooghe, Liesbet (2003): Europe Divided?, in: European Union Politics 4(3): 281-304.
- Hooghe, Liesbet and Gary Marks (1999): The making of a polity. The struggle over European integration, in: H. Kitschelt, P. Lange, G. Marks and J. Stephens, Eds.: Continuity and change in contemporary capitalism. Cambridge, Cambridge University Press.
- Hooghe, Liesbet and Gary Marks (2009): A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus, in: British Journal of Political Science 39(1): 1-23.
- Hooghe, Liesbet, Gary Marks and Carole Wilson (2002): Does left/right structure party positions on European integration?, in: Comparative Political Studies 35(8): 965-989.
- IMAS (2013). Parteien auf der demoskopischen Waagschale. IMAS Report. IMAS.
- Ionescu, Ghita and Isabel de Madariaga (1968): Opposition. Past and Present of a Political Institution. London, Watts.
- Jabko, Niclas (2006): Playing the Market: A Political Strategy for Uniting Europe, 1985-2005. Ithaca, NY, Cornell University Press.
- Jagers, Jan and Stefaan Walgrave (2007): Populism as political communication style: An empirical study of political parties' discourse in Belgium, in: European Journal of Political Research 46: 319-345.
- Jahn, Detlef (2013): Einführung in die vergleichende Politikwissenschaft. Wiesbaden, Springer VS.

- Jenny, Marcelo and Wolfgang Müller (2008). Roles as Behavioural Strategies: The Case of Austrian MPs. ECPR Joint Session of Workshops. Rennes, France.
- Jensen, Christian B. (2009): The Democratic Deficit of the European Union, in: *Living Reviews in Democracy* 1.
- Jensen, Christian B., Sven-Oliver Proksch and Jonathan Slapin (2013): Parliamentary Questions, Oversight, and National Opposition Status in the European Parliament, in: *Legislative Studies Quarterly* 38(2): 259-282.
- Jensen, Christian B. and Jae-Jae Spoon (2010): Thinking locally, acting supranationally: Niche party behaviour in the European Parliament, in: *European Journal of Political Research* 49(2): 174-201.
- Jones, Bryan (2003): Bounded Rationality and Political Science: Lessons from Public Administration and Public Policy, in: *Journal of Public Administration Research and Theory* 13(4): 395-412.
- Kahnemann, Daniel (2003): Maps of Bounded Rationality: Psychology for Behavioral Economics, in: *The American Economic Review* 93(5): 1449-1475.
- Kahnemann, Daniel, Paul Slovic and Amos Tversky (1982): *Judgment under uncertainty: Heuristics and biases*. New York, Cambridge University Press.
- Kaiser, André (2002): Alternation, Inclusion and the European Union, in: *European Union Politics* 3(4): 445-458.
- Kaiser, André (2008): Parliamentary Opposition in Westminster Democracies: Britain, Canada, Australia and New Zealand, in: *The Journal of Legislative Studies* 14(1/2): 20-45.
- Kalberg, Stephen (1980): Max Weber's types of rationality: Cornerstones for the analysis of rationalization processes in history, in: *American Journal of Sociology* 85(5): 1145-1179.
- Kantner, Cathleen (2016): *War and Intervention in the Transnational Public Sphere: Problem Solving and European identity-formation*. London, New York, Routledge.
- Karlas, Jan (2011): Parliamentary control of EU affairs in Central and Eastern Europe: explaining the variation, in: *Journal of European Public Policy* 18(2): 258-273.
- Katz, Richard and Peter Mair (2002): The Ascendancy of the Party in Public Office: Party Organizational Change in Twentieth-Century Democracies, in: R. Gunther, J. R. Montero and J. J. Linz, Eds.: *Political Parties: Old Concepts and New Challenges*. Oxford, Oxford University Press.
- Katz, Richard and Peter Mair (2009): The Cartel Party Thesis: A Restatement, in: *Perspectives on Politics* 7(4): 753-766.
- King, Anthony (1976): Modes of Executive-Legislative Relations. Great Britain, France and West Germany, in: *Legislative Studies Quarterly* 1(1): 11-36.
- Kirchheimer, Otto (1957): The Waning of Opposition in Parliamentary Regimes, in: *Social Research* 24(1): 127-156.
- Kirchheimer, Otto (1966): The transformation of the Western European party system, in: J. LaPalombara and M. Weiner, Eds.: *Political Parties and Political Development*. Princeton, NJ, Princeton University Press: 177-200.
- Kitschelt, Herbert (1994): *The Transformation of European Social Democracy*. Cambridge, Cambridge University Press.
- Kitschelt, Herbert (1995): Formation of Party Cleavages in Post-Communist Democracies. Theoretical Propositions, in: *Party Politics* 1(4): 447-472.
- Kitschelt, Herbert (2001): *Politische Konfliktlinien in westlichen Demokratien: Ethnisch-kulturelle und wirtschaftliche Verteilungskonflikte*.
- Klüver, Heike (2013): *Lobbying in the European Union. Interest Groups, Lobbying Coalitions, and Policy Change*. Oxford, UK, Oxford University Press.

- Kneip, Sascha (2008): Verfassungsgerichtsbarkeit im Vergleich, in: O. Gabriel and S. Kropp, Eds.: Die EU-Staaten im Vergleich. Strukturen, Prozesse, Politikinhalt. Wiesbaden, VS Verlag für Sozialwissenschaften: 631-655.
- Kohler-Koch, Beate and Bertold Rittberger (2007): Charting Crowded Territory: Debating the Democratic Legitimacy of the European Union, in: B. Kohler-Koch and B. Rittberger, Eds.: Debating the Democratic Legitimacy of the European Union. Lanham, Rowman and Littlefield Publishers.
- Kreiling, Valentin (2018). A more democratic European Union. Propositions and scope for political action. Policy Paper No. 212. J. D. I. Berlin.
- Kriesi, Hanspeter (2014): The Populist Challenge, in: West European Politics 37(361-378).
- Kriesi, Hanspeter, Edgar Grande, Romain Lachat, Martin Dolezal, Simon Bornschier and Timotheos Frey (2006): Globalization and the transformation of the national political space: Six European countries compared, in: European Journal of Political Research 45: 921-956.
- Laakso, Markku and Rein Taagepera (1979): "Effective" number of parties: a measure with application to west Europe, in: Comparative Political Studies 12(1): 3-27.
- Lachat, Romain (2007): A Heterogeneous Electorate: Political Sophistication, Predispositional Strength, and the Voting Decision Process. Baden-Baden, Nomos.
- Laundy, Philip (1989): Parliaments in the Modern World. Alersbot, Gower.
- Laver, Michael and Kenneth Shepsle (1999): Government Accountability in Parliamentary Democracy, in: A. Przeworski, S. Stokes and B. Manin, Eds.: Democracy, Accountability, and Representation. Cambridge, Cambridge University Press: 279-296.
- Lees, C (2012): The paradoxical effects of decline: Assessing party system change and the role of the catch-all parties in Germany following the 2009 federal election, in: Party Politics 18: 545-562.
- Lees, John David and Malcolm Shaw (1979): Committees in legislatures: a comparative analysis, Duke University Print.
- Levy, Jack (2008): Case Studies: Types, Designs, and Logics of Inference, in: Conflict Management and Peace Science 25(1): 1-18.
- Lijphart, Arend (1971): Comparative Politics and the Comparative Method, in: American Political Science Review 65(3): 682-693.
- Lijphart, Arend (1975): The Comparable-Cases Strategy in Comparative Research, in: Comparative Political Studies 8(2): 158-177.
- Lijphart, Arend (2002): Negotiation democracy versus consensus democracy: Parallel conclusions and recommendations, in: European Journal of Political Research 41: 107-113.
- Lijphart, Arend (2012): Patterns of democracy: Government forms and performance in thirty-six countries. New Haven and London, Yale University Press.
- Linz, Juan (1978): The Breakdown of Democratic Regimes: Crises, Breakdown and Reequilibrium. Baltimore, London, John Hopkins University Press.
- Lipset, Seymour and Stein Rokkan (1967): Cleavage structures, party systems, and voter alignments: an introduction, in: S. Lipset and S. Rokkan, Eds.: Party Systems and Voter Alignments: Cross-National Perspectives: 1-64.
- Lord, Christopher and Simon Hix (1997): Political Parties in the European Union. Houndsmills, Palgrave Macmillan.
- Louwse, Tom, Simon Otjes, David Willumsen and Patrik Öhberg (2016): Reaching across the aisle: Explaining government-opposition voting in parliament, in: Party Politics 23(6): 746-759.
- Lowi, Theodore (1964): American Business, Public Policy, Case-Studies, and Political Theory, in: World Politics 16(4): 677-715.

- Loxbo, Karl and Mats Sjölin (2016): Parliamentary Opposition on the Wane? The Case of Sweden, 1970–2014, in: *Government and Opposition* online first.
- Lubbers, Marcel and Peer Scheepers (2010): Diverging trends in euro-scepticism in countries and regions of the EU 1994-2004, in: *European Journal of Political Research* 49(6): 787-817.
- Luther, Kurt (2009): The Revival of the Radical Right: The Austrian Parliamentary Election of 2008, in: *West European Politics* 32(5): 1049-1061.
- Luther, Kurt Richard and Wolfgang Müller (1992): Consociationalism and the Austrian Political System, in: K. Luther and W. Müller, Eds.: *Politics in Austria. Still a Case of Consociationalism?* London and New York, Routledge: 1-15.
- Maatsch, Aleksandra (2014): Are we all austerians now? An analysis of national parliamentary parties' positioning on anti-crisis measures in the eurozone, in: *Journal of European Public Policy* 21(1): 96-115.
- Maeda, Ko (2013): Determinants of Opposition Fragmentation: Parliamentary Rules and Opposition Strategies, in: *Party Politics*: 1-12.
- Mahoney, Christine (2007): Networking vs. allying: the decision of interest groups to join coalitions in the US and the EU, in: *Journal of European Public Policy* 14(3): 366-383.
- Mair, Peter (2007): Political Opposition and the European Union, in: *Government and Opposition* 42(1): 1-17.
- Majone, Giandomenico (1998): Europe's 'Democratic Deficit': The Question of Standards, in: *European Law Journal* 4(1): 5-28.
- Majone, Giandomenico (2016). European integration and its modes. Function vs. territory. TRAN Working Paper. 2/2016.
- March, James G. and Johan P. Olsen (1984a): The New Institutionalism: Organizational Factors in Political Life, in: *The American Political Science Review* 78: 734-749.
- March, James and Johan P. Olsen (1984b): The New Institutionalism: Organizational Factors in Political Life, in: *American Political Science Review* 78(3): 734-749.
- Marks, Gary and Lisbet Hooghe (2004): Contrasting Visions of Multi-level Governance, in: I. Bache and M. Flinders, Eds.: *Multi-level Governance*, Oxford University Press.
- Martin, Lanny and Georg Vanberg (2004): Policing the Bargain: Coalition Government and Parliamentary Scrutiny, in: *American Journal of Political Science* 48(1): 13-27.
- Martin, Lanny and Georg Vanberg (2005): Coalition Policymaking and Legislative Review, in: *American Political Science Review* 99(1): 93-106.
- Martin, Pierre (2000): *Comprendre les évolutions électorales. La théorie des réalignements revisitée.* Paris, Presses de Sciences Po.
- Maurer, Andreas (2002): *Parlamentarische Demokratie in der Europäischen Union. Der Beitrag des Europäischen Parlaments und der Parlamente der Mitgliedstaaten.* Baden-Baden, Nomos.
- Maurer, Andreas and Wolfgang Wessels, Eds. (2001): *National Parliaments on their Ways to Europe. Losers of Latecomers?*, Nomos Verlag.
- McElroy, Gail and Kenneth Benoit (2007): Party Groups and Policy Positions in the European Parliament, in: *Party Politics* 13(1): 5-28.
- Meguid, Bonnie (2005): Competition Between Unequals: The Role of Mainstream Party Strategy in Niche Party Success, in: *American Political Science Review* 99(3): 347-359.
- Meguid, Bonnie (2008): *Party Competition between Unequals. Strategies and Electoral Fortunes in Western Europe.* Cambridge, Cambridge University Press.
- Mény, Yves (2012): Conclusion: A Voyage to the Unknown, in: *Journal of Common Market Studies* 50(1): 154-164.
- Meyer, Thomas and Bernhard Miller (2015): The niche party concept and its measurement, in: *Party Politics* 21(2): 259-271.

- Miklin, Eric (2012): "OPAL Country Report: The Austrian Parliament and EU Affairs." from <http://www.pademia.eu/publications/opal-country-reports/>.
- Miklin, Eric (2013): Inter-Parliamentary Cooperation in EU Affairs and the Austrian Parliament: Empowering the Opposition?, in: *The Journal of Legislative Studies* 19(1): 22-41.
- Miklin, Eric (2014a): EU Politicisation and National Parliaments: Visibility of Choices and Better Aligned Ministers?, in: *The Journal of Legislative Studies* 20(1): 78-92.
- Miklin, Eric (2014b): From "Sleeping Giant" to Left-Right Politicization? National Party Competition on the EU and the Euro Crisis, in: *Journal of Common Market Studies* 52(6): 1199-1206.
- Miklin, Eric (2015): The Austrian Parliament and EU Affairs: Gradually Living Up to Its Legal Potential, in: C. Heffler, C. Neuhold, O. Rozenberg and J. Smith, Eds.: *The Palgrave Handbook of National Parliaments and the European Union*: 389–405.
- Mill, John (1890): *A System of Logic, Ratiocinative and Inductive: Being a Connected View of the Principles of Evidence and the Methods of Scientific Investigation*. New York, NY, Harper and Brothers.
- Minkenberg, Michael (2001): The radical right in public office: Agenda-setting and policy effects, in: *West European Politics* 24(4): 1-21.
- Moravcsik, Andrew (1998): *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*. Ithaca, NY, Cornell University Press.
- Moravcsik, Andrew (2002): In Defence of the 'Democratic Deficit': Reassessing Legitimacy in the European Union, in: *Journal of Common Market Studies* 49(4): 603-624.
- Moury, Catherine and Elisabetta de Giorgi (2015): Introduction: Conflict and Consensus in Parliament during the Economic Crisis, in: *The Journal of Legislative Studies* 21(1): 1-13.
- Mudde, Cas (2004): The Populist Zeitgeist, in: *West European Politics* 39(4): 541-563.
- Mudde, Cas (2007): *Populist Radical Right Parties in Europe*. Cambridge, Cambridge University.
- Mudde, Cas (2012): Three decades of populist radical right parties in Western Europe: So what?, in: *European Journal of Political Research* 52(1): 1-19.
- Müller, Jan-Werner (2016): *Was ist Populismus? Ein Essay*, Frankfurt am Main, Suhrkamp.
- Müller, Wolfgang (2006): Austria: A Complex Electoral System with Subtle Effects, in: G. Michael and P. Mitchell, Eds.: *The Politics of Electoral Systems*, Oxford University Press pp. 397-416.
- Müller, Wolfgang C. (2000): Political parties in parliamentary democracies: Making delegation and accountability work, in: *European Journal of Political Research* 37(3): 309-333.
- Müller, Wolfgang, Fritz Plasser and Peter Ulram (1999): Schwäche als Vorteil, Stärke als Nachteil. Die Reaktion der Parteien auf den Rückgang der Wählerbindungen in Österreich, in: P. Mair, W. Müller and F. Plasser, Eds.: *Parteien auf komplexen Wählermärkten. Reaktionsstrategien politischer Parteien in Westeuropa*.
- Müller, Wolfgang and Kaare Strøm (1999): *Political Parties and Hard Choices*, in: W. Müller and K. Strom, Eds.: *Policy, Office or Votes? How Political Parties in Western Europe Make Hard Decisions*. Cambridge, Cambridge University Press: 1-35.
- Müller, Wolfgang and Kaare Strøm (1999): *Policy, Office, or Votes? How Political Parties in Western Europe Make Hard Choices*. Cambridge, UK, Cambridge University Press.
- Mullins, Willard (1974): Sartori's Concept of Ideology: A Dissent and an Alternative, in: A. Wilcox, Ed. *Public Opinion and Political Attitudes*. New York, Wiley: 223-237.

- Nachtwey, Oliver (2007): Im Westen was Neues. Die Entstehung der Wahlalternative Arbeit und soziale Gerechtigkeit, in: T. Spier et al. Eds.: Die Linkspartei. Zeitgemäße Idee oder Bündnis ohne Zukunft? Wiesbaden, VS Verlag für Sozialwissenschaften: 156-184.
- Nationalrat (2016): "Parlament aktiv. Ausschüsse." from <https://www.parlament.gv.at/PAKT/AUS/>.
- Nationalrat (2017): "Committees of the 14th legislative period." from <https://www.parlament.gv.at/PAKT/AUS/>.
- Neuendorf, Kimberly (2002): The Content Analysis Guidebook. Thousand Oaks, Sage.
- Neunreither, Karlheinz (1998): Governance without Opposition: The Case of the European Union, in: Government and Opposition 33(4): 419-441.
- Nicolaidis, Kalypso (2013): European Democracy and Its Critics, in: Journal of Common Market Studies 51(2): 351-369.
- Niedermayer, Oskar (2006): Das Parteiensystem Deutschlands, in: R. Stöss, M. Hass and O. Niedermayer, Eds.: Die Parteiensysteme Westeuropas. Wiesbaden, VS Verlag für Sozialwissenschaften, pp. 109-133.
- North, Douglass (1990): Institutions, Institutional Change and Economic Performance. New York, Cambridge University Press.
- Norton, Philip (1990): Parliaments in Western Europe. London, Frank Cass.
- Norton, Philip (1996): National Parliaments and the European Union. London, Frank Cass.
- Norton, Philip (2008): Making Sense of Opposition, in: The Journal of Legislative Studies 14(1/2): 236-250.
- O'Brennan, John and Tapio Raunio (2007): National Parliaments within the Enlarged European Union. From 'victims' of integration to competitive actors? London and New York, Routledge.
- Oberreuter, Heinrich (1975): Einleitung, in: H. Oberreuter, Ed. Parlamentarische Opposition. Ein internationaler Vergleich. Hamburg, Hoffmann und Campe: 8-24.
- Olson, David and Michael Mezey (1991): Legislatures in the Policy Process: The Dilemmas of Economic Policy, Cambridge University Press.
- Onken, Holger (2013): Parteiensysteme im Wandel. Deutschland, Großbritannien, die Niederlande und Österreich im Vergleich, Wiesbaden, Springer.
- Ostheim, Tobias (2003): Praxis und Rhetorik deutscher Europapolitik. Die Bilanz der Regierung Schröder 1998-2002, in: C. Egle, T. Ostheim and R. Zohlnhöfer, Eds.: Das rot-grüne Projekt, Wiesbaden, Springer.
- Ostrom, Elenor (1991): Rational Choice Theory and Institutional Analysis: Toward Complementarity, in: American Political Science Review 85(1): 237-243.
- Otjes, Simon and Alexia Katsanidou (2017): Beyond Kriesiland: EU integration as a super issue after the Eurocrisis, in: European Journal of Political Research 56: 301-319.
- Parliament, European (2013): "Table on the ratification process of amendment of art. 136 TFEU, ESM Treaty and Fiscal Compact." from <http://www.europarl.europa.eu/webnp/webdav/site/myjahiasite/shared/Publications/Fiscal Treaty ESM Overview table/art. 136, ESM, Fiscal compact ratification.pdf>.
- Pauwels, Teun (2014): Populism in Western Europe. Comparing Belgium, Germany and the Netherlands. London, New York, Routledge.
- Pedahzur, Ami and Avraham Brichta (2002): The Institutionalization of Extreme Right-Wing Charismatic Parties: a Paradox? in: Party Politics 8(1): 31-49.
- Pelinka, Anton (2002): Die FPÖ in der vergleichenden Parteienforschung zur typologischen Einordnung der reihentlichen Partei Österreichs, in: ÖZP 31(3): 281-290.
- Pelinka, Anton (2006): Das politische System Österreichs, in: W. Ismayr, Ed. Die politischen Systeme Westeuropas: 521-552.

- Peters, Guy (2000) *Institutional Theory: Problems and Prospects*. Reihe Politikwissenschaft/ Institut für Höhere Studien, Abt. Politikwissenschaft 69.
- Pierson, Paul (2000): *The Limits of Design: Explaining Institutional Origins and Change*, in: *Governance: An International Journal of Policy and Administration* 13(4): 475-499.
- Poguntke, Thomas (1987): *New politics and party systems: The emergence of a new type of party?*, in: *West European Politics* 10(1): 76-88.
- Poguntke, Thomas (2012): *Towards a new party system: The vanishing hold of the catch-all parties in Germany*, in: *Party Politics*: 1-20.
- Pollack, Mark (2006): *Rational Choice and EU Politics*, in: K. E. Jørgensen, M. Pollack and B. Rosamond, Eds.: *Handbook of European Union Politics*. London, Sage Publications: 31-56.
- Pollak, Johannes and Peter Slominski (2002): *Die österreichischen politischen Parteien und die europäische Integration: Stillstand oder Aufbruch?*, in: H. a. P. R. Neisser, S. , Ed. *Europäisierung der österreichischen Politik. Konsequenzen der EU-Mitgliedschaft*. Wien, WUV: 177-200.
- Pollak, Johannes and Peter Slominski (2003): *Influencing EU Politics? The Case of the Austrian Parliament*, in: *Journal of Common Market Studies* 41(4): 707-729.
- Pollak, Johannes and Peter Slominski (2009): *Zwischen De- und Reparlamentarisierung – Der österreichische Nationalrat und seine Mitwirkungsrechte in EU-Angelegenheiten*, in: *Österreichische Zeitschrift für Politikwissenschaft* 38: 193-212.
- Powell, G. Bingham (2000): *Elections as instruments of democracy: Majoritarian and proportional visions*. New Haven & London, Yale University Press.
- Powell, Walter and Paul DiMaggio (1991): *Introduction*, in: W. Powell and P. DiMaggio, Eds.: *The new institutionalism in organizational analysis*. Chicago and London, The University of Chicago Press: 1-40.
- Probst, Lothar (2013): *Bündnis 90/Die Grünen (GRÜNE)*, in: O. Niedermayer, Ed. *Handbuch Parteienforschung*. Wiesbaden, Springer Fachmedien.
- Proksch, Sven-Oliver and Jonathan Slapin (2010): *Parliamentary questions and oversight in the European Union* *ejpr\_1919* 53..79, in: *European Journal of Political Research* 50: 53-79.
- Proksch, Sven-Oliver and Jonathan Slapin (2012): *Institutional Foundations of Legislative Speech*, in: *American Journal of Political Science* 56(3): 520-537.
- Proksch, Sven-Oliver and Jonathan Slapin (2014): *Words as Data: Content Analysis in Legislative Studies*, *The Oxford Handbook of Legislative Studies*. Oxford, UK, Oxford University Press.
- Proksch, Sven-Oliver and Jonathan Slapin (2015): *The politics of parliamentary debate*, Cambridge University Press.
- Przeworski, Adam and Henry Teune (1970): *The Logic of Comparative Social Inquiry*. New York and others, Wiley.
- Puchala, Donald (1971): *Of blind men, elephants and international integration*, in: *Journal of Common Market Studies* 10(3): 267-284.
- Puntscher Riekman, Sonja and Doris Wydra (2013): *Representation in the European State of Emergency: Parliaments against Governments?*, in: *Journal of European Integration* 35(5): 565-582.
- Raschke, Joachim and Rolf Tils (2013): *Politische Strategie*. Wiesbaden, VS Verlag für Sozialwissenschaften.
- Rauh, Christian (2015): *Communicating supranational governance? The salience of EU affairs in the German Bundestag, 1991–2013*, in: *European Union Politics* 16(1): 116-138.

- Rauh, Christian and Pieter de Wilde (2017): The opposition deficit in EU accountability: Evidence from over 20 years of plenary debate in four member states, in: *European Journal of Political Research* online first.
- Raunio, Tapio (2009): National parliaments and European integration: What we know and agenda for future research, in: *The Journal of Legislative Studies* 15(4): 317-334.
- Raunio, Tapio (2005): Holding Governments Accountable in European Affairs: Explaining Cross-National Variation, in: *Journal of Legislative Studies* 11(3-4): 319-342.
- Rawls, John (1985): Justice as Fairness: Political not Metaphysical, in: *Philosophy & Public Affairs* 14(3): 223–251.
- Reif, Karlheinz and Hermann Schmitt (1980): Nine second-order national elections – A conceptual framework for the analysis of European election results, in: *European Journal of Political Research* 8(1): 3-44.
- Riker (1962): *The theory of political coalitions*. Yale University Press.
- Riker, William (1980): Implications from the disequilibrium of majority rule for the study of institutions, in: *American Political Science Review* 75: 432-447.
- Risse, Thomas (2010): *A Community of Europeans? Transnational Identities and Public Spheres*. Ithaca, Cornell University Press.
- Rittberger, Bertold and Thomas Winzen (2015): Parlamentarismus nach der Krise: Die Vertiefung parlamentarischer Asymmetrie in der reformierten Wirtschafts- und Währungsunion, in: *Politische Vierteljahresschrift* 56(3): 430-456.
- Rommetvedt, Hilmar (2005): Norway: Resources count, but votes decide? from neo-corporatist representation to neo-pluralist parliamentarism, in: *West European Politics* 28(4): 740-763.
- Rozenberg, Olivier and Claudia Heffler (2015): Introduction, in: C. Heffler, C. Neuhold, O. Rozenberg and J. Smith, Eds.: *The Palgrave Handbook of National Parliaments and the European Union*. Basingstoke, Palgrave Macmillan.
- Russell, Meg, Daniel Gover, Kristina Wollter and Meghan Benton (2016): Actors, Motivations and Outcomes in the Legislative Process: Policy Influence at Westminster, in: *Government and Opposition* online first.
- Saalfeld, Thomas (2005): Deliberate Delegation or Abdication? Government Backbenchers, Ministers and European Union Legislation, in: *The Journal of Legislative Studies* 11(3/4): 343-371.
- Saalfeld, Thomas (2006): Germany: Stability and Strategy in a Mixed-Member Proportional System, in: M. Gallagher and P. Mitchell, Eds.: *The Politics of Electoral Systems*, Oxford University Press: 209-229.
- Sartori, Giovanni (1966): Opposition and Control. Problems and Prospects, in: *Government and Opposition* 1(2): 149–154.
- Sartori, Giovanni (1970): Concept Misformation in Comparative Politics, in: *American Political Science Review* 64(4): 1033-1053.
- Sartori, Giovanni (2005): *Parties and Party Systems: A Framework for Analysis*. Colchester, UK, ECPR Press.
- Saurugger, Sabine (2013): Constructivism and public policy approaches in the EU: from ideas to power games, in: *Journal of European Public Policy* 20(6): 888-906.
- Scarrow, Susan (2001): Germany: The Mixed-Member System as a Political Compromise, in: M. S. Shugart and M. Wattenberg, Eds.: *Mixed-Member Electoral Systems. The Best of Both Worlds?* Oxford, Oxford University Press: 55-69.
- Schäfer, Armin (2006): Die demokratische Grenze output-orientierter Legitimation, in: *Integration* 29(3): 187-200.
- Schapiro, Leonardo (1965): Foreword, in: *Government and Opposition* 1(1): 1-6.
- Schapiro, Leonardo, Ed. (1972): *Political Opposition in one-party States*. London, Macmillan



- Scharpf, Fritz (1998): Negative and Positive Integration in the Political Economy of European Welfare States, in: M. Rhodes and Y. Mény, Eds.: *The Future of European Welfare*. Houndsmills, Palgrave Macmillan.
- Scharpf, Fritz (1999): *Governing in Europe: Effective and Democratic*, in: Scharpf, Fritz (2002): *Regieren im europäischen Mehrebenensystem - Ansätze zu einer Theorie*, in: *Leviathan* 30(1): 65-92.
- Scharpf, Fritz (2015): *After the Crash: A Perspective on Multilevel European Democracy*, in: *European Law Journal* 21(3): 384-405.
- Schedler, Andreas (1996): *Anti-political-establishment parties*, in: *Party Politics* 2(3): 291-312.
- Schmidt, Manfred (2000): *Der konsoziative Staat. Hypothesen zur politischen Struktur und zum politischen Leistungsprofil der Europäischen Union*, in: E. Grande and M. Jachtenfuchs, Eds.: *Wie problemlösungsfähig ist die EU? Regieren im europäischen Mehrebenensystem*. Baden-Baden, Nomos: 33-58.
- Schmidt, Vivien Ann (2006): *Democracy in Europe: The EU and national politics*. Oxford, Oxford University Press.
- Sebaldt, Martin (1992): *Die Thematisierungsfunktion der Opposition*. Frankfurt, Lang.
- Senninger, Roman and Markus Wagner (2015): *Political parties and the EU in national election campaigns: who talks about Europe, and how?*, in: *Journal of Common Market Studies* 53(6): 1336-1351.
- Shane, Martin (2014): *Committees*, in: M. Shane, T. Saalfeld and K. Strom, Eds.: *The Oxford Handbook of Legislative Studies*, Oxford University Press.
- Shepsle, Kenneth (1985): *Prospects for Formal Models of Legislatures*, in: *Legislative Studies Quarterly* 10(1): 5-19.
- Shepsle, Kenneth (1989): *Studying Institutions. Some Lessons from the Rational Choice Approach*, in: *Journal of Theoretical Politics* 1(2): 131-147.
- Shepsle, Kenneth (2006): *Rational Choice Institutionalism*, in: R. A. Rhodes, S. Binder and A. Bert, Eds.: *The Oxford Handbook of Political Institutions*, Oxford University Press: 23-38.
- Simmons, John (1999): *Justification and Legitimacy*, in: *Ethics* 109: 739-771.
- Simon, Herbert (1979): *Information Processing Models of Cognition*, in: *Annual Review of Psychology* 30: 363-396.
- Simon, Herbert (1982): *Models of bounded rationality: Empirically grounded economic reason*. Cambridge, MA, MIT press.
- Sitter, Nick (2001): *The politics of opposition and European integration in Scandinavia: Is Euro-scepticism a government-opposition dynamic?*, in: *West European Politics* 24(4): 22-39.
- Skocpol, Theda and Margaret Somers (1980): *The Uses of Comparative History in Macrosocial Inquiry*, in: *Comparative Studies in Society and History* 22(2): 174-197.
- Smith, Gordon (1986): *Democracy in Western Germany: Parties and Politics in the Federal Republic*. Aldershot, Gower.
- Snidal, Duncan (2002): *Rational Choice and International Relations*, in: W. Carlsnaes, T. Risse and B. Simmons, Eds.: *Handbook of International Relations*. London, Sage Publications: 73-94.
- SPD (2014). *Europa eine neue Richtung geben. Leitantrag Europa*.
- Spier, Tim and Ulrich von Aleman (2013): *Die Sozialdemokratische Partei Deutschlands (SPD)*, in: O. Niedermayer, Ed. *Handbuch Parteienforschung*. Wiesbaden, Springer Fachmedien.
- Spoon, Jae-Jae (2011): *Political Survival of Small Parties in Europe*. Ann Arbor, The University of Michigan Press.

- Spreitzer, Astrid and Arco Timmermans (2015): European integration and the flexibility of consensus politics in the parliaments of the Low Countries, in: H. Vollaard, J. Beyers and P. Dumont, Eds.: *European Integration and Consensus Politics in the Low Countries*. London and New York, Routledge.
- Sprungk, Carina (2010): Ever more or ever better scrutiny? Analysing the conditions of effective national parliamentary involvement in EU affairs, in: *European Integration online Papers* 14(02).
- Sprungk, Carina (2013): A New Type of Representative Democracy? Reconsidering the Role of National Parliaments in the European Union, in: *Journal of European Integration* 35(5): 547-563.
- Stecker, Christian (2011). *Voting Patterns of the parliamentary opposition in Germany*. Italian Political Science Association in Palermo. Palermo.
- Steffani, Winfried (1968): Möglichkeiten der Opposition. In einer parlamentarischen Demokratie und anderswo, in: *Die politische Meinung* 13(123): 43-54.
- Steinack, Katrin (2008). *The socio-cultural foundation of opposition strategies in parliament*. PSA.
- Steinack, Katrin (2011): Two Patterns of Opposition: Party Group Interaction in the Bavarian State Parliament, in: *The Journal of Legislative Studies* 17(1): 1-26.
- Steinmo, Sven and Kathleen Thelen (2002): *Structuring Politics: Historical Institutionalism in Comparative Analysis*. Cambridge, Cambridge University Press.
- Strøm, Kaare (2000): Delegation and accountability in parliamentary democracies, in: *European Journal of Political Research* 37(3): 261-289.
- Strøm, Kaare and Ingvar Mattson (1995): *Parliamentary Committees*, in: H. Döring, Ed. *Parliament and Majority Rule in Western Europe*. Frankfurt/ New York, St. Martin's Press: 249-307.
- Tans, O, C Zoethout and J Peters, Eds. (2007): *National Parliaments and European Democracy: A Bottom-Up Approach to European Constitutionalism*. Groningen, Europa Law Publishing.
- Thatcher, Mark (2002): Delegation to Independent Regulatory Agencies: Pressures, Functions and Contextual Mediation, in: *West European Politics* 25(1): 125-147.
- Tömmel, Ingeborg (2014): *Das politische System der EU*. Oldenbourg, De Gruyter.
- Tsebelis, George (1990): *Nested Games: Rational Choice in Comparative Politics*. Berkeley and Los Angeles, University of California Press.
- Urban Pappi, Franz (2007): Partei- und Koalitionskriterien der österreichischen Wählerschaft für die Nationalratswahl 2006, in: *Österreichische Zeitschrift für Politikwissenschaft* 4: 445-469.
- van de Wardt, M (2014). *The good, the bad, and the ugly: Patterns of issue competition between government, challenger and mainstream opposition parties in Western Europe*. Faculty of Social and Behavioural Sciences. Amsterdam, University of Amsterdam. PhD.
- van der Eijk, Cees and Mark Franklin (2004): Potential for Contestation on European Matters at National Elections in Europe, in: G. Marks and M. Steenbergen, Eds.: *European Integration and Political Conflict*. Cambridge, Cambridge University Press: 33-50.
- van Spanje, Joost (2011): Keeping the rascals in: Anti-political-establishment parties and their cost of governing in established democracies, in: *European Journal of Political Research* 50(5): 609-635.
- Vorländer (2013): Die Freie Demokratische Partei (FDP), in: O. Niedermayer, Ed. *Handbuch Parteienforschung*. Wiesbaden, Springer Fachmedien.
- Wagner, Markus (2012): Defining and measuring niche parties, in: *Party Politics* 18(6): 845-864.

- Wahlrecht (2016): "Ergebnisse der Landtagswahlen in Niedersachsen." See <http://www.wahlrecht.de/ergebnisse/niedersachsen.htm>.
- Warntjen, Andreas (2012): Measuring Saliency in EU Legislative Politics, in: *European Union Politics* 13(1): 168-182.
- Weber, Max (1922/1988): Die drei reinen Typen der legitimen Herrschaft, in: J. Winkelmann, Ed. *Gesammelte Aufsätze zur Wissenschaftslehre*. Tübingen, Mohr: 475-488.
- Weigl, Michael (2013): Die Christlich-Soziale Union in Bayern e.V. (CSU), in: O. Niedermayer, Ed. *Handbuch Parteienforschung*. Wiesbaden, Springer Fachmedien.
- Weiler, J.H.H., Ulrich Haltern and Franz Mayer (2007): European Democracy and Its Critique, in: *West European Politics* 18(3): 4-39.
- Weingast, Barry (2002): Rational choice institutionalism, in: I. Katznelson and H. Milner, Eds.: *Political science: The state of the discipline*: 660-692.
- Wendler, Frank (2011): Contesting Europe, or Germany's Place in Europe? European Integration and the EU Policies of the Grand Coalition Government in the Mirror of Parliamentary Debates in the Bundestag, in: *German Politics* 20(4): 486-505.
- Wendler, Frank (2012). Debating the European Debt Crisis: Government Leadership, Party Ideology and Supranational Integration as Focal Points of Parliamentary Debates in Austria, Germany and the United Kingdom. ACES Cases, No. 2012.3. A. C. o. E. U. Studies. Washington D.C.
- Wendler, Frank (2014): Justification and political polarization in national parliamentary debates on EU treaty reform, in: *Journal of European Public Policy* 21(4): 549-567.
- Wessels, Wolfgang (1997): An Ever Closer Fusion? A Dynamic Macropolitical View on Integration Processes, in: *JCMS: Journal of Common Market Studies* 35(2): 267-299.
- Wessels, Wolfgang (2008): *Das politische System der Europäischen Union*. Wiesbaden, VS Verlag für Sozialwissenschaften.
- Wessels, Wolfgang, Olivier Rozenberg, Mirte van den Berge, Claudia Heffler, Valentin Kreilinger and Laura Ventura (2013). *The democratic control in the Member States of the European Council and the Euro zone summits*. P. D. C. Directorate-General for Internal Policies, Citizens' Right.
- Williams, Michelle (2006): *The Impact of Radical Right-Wing Parties in West European Democracy*. Basingstoke, Palgrave Macmillan.
- Wimmel, Andreas (2009): Theorizing the Democratic Legitimacy of European Governance: a Labyrinth with No Exit?, in: *European Integration* 31(2): 181-199.
- Winzen, Thomas (2010): Political Integration and National Parliaments in Europe, in: *Living Reviews of Democracy*: 1-14.
- Winzen, Thomas (2012): National Parliamentary Control of European Union Affairs: A Cross-national and Longitudinal Comparison, in: *West European Politics* 35(3): 657-672.
- Winzen, Thomas (2013): European integration and national parliamentary oversight institutions, in: *European Union Politics* 13(2): 297-323.
- Woll, Cornelia (2008): *Firm Interests. How Governments Shape Business Lobbying on Global Trade*. Ithaca and London, Cornell University Press.
- Woll, Cornelia and Sophie Jacquot (2010): Using Europe: Strategic action in multi-level politics, in: *Comparative European Politics* 8(1): 110-126.
- Wonka, Arndt (2016): The party politics of the Euro crisis in the German Bundestag: frames, positions and saliency, in: *West European Politics* 39(1): 125-144.
- Zolleis, Udo and Josef Schmid (2013): Die Christlich Demokratische Union Deutschlands (CDU), in: O. Niedermayer, Ed. *Handbuch Parteienforschung*. Wiesbaden, Springer Fachmedien.